

FEDERAL REGISTER

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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 4—PROHIBITION AGAINST POLITICAL ACTIVITY

PART 23—POLITICAL ACTIVITY OF STATE EMPLOYEES; RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

1. Section 4.103 is amended as set out below.

§ 4.103 *Proposed action.* When the Commission reaches the conclusion that a violation of § 4.101 has been established by the investigation, it shall issue a notice of proposed adverse action. This notice, which shall set forth specifically and in detail the charges, shall be sent to the employee by registered mail, and he will have fifteen (15) days from the date of service to reply thereto in writing. A copy of this notice shall also be sent to the employing agency.

(R. S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633. Interprets or applies sec. 9, 53 Stat. 1148, as amended; 5 U. S. C. 1181)

2. Part 23 is amended as follows: The word "Activities" is substituted for "Activity" in § 23.12; the words "General Counsel" are substituted for the words "Chief Law Officer" in §§ 23.1, 23.3, 23.5 and 23.13, and the words "and Chief Examiner" are deleted in two places in § 23.2; and a new § 23.23 is added as set out below.

§ 23.23 *Withholding orders.* Whenever it becomes necessary to issue an order requiring the withholding of funds from a State or local agency, the Commission will make and serve a withholding order upon the appropriate Federal agency in conformity with the foregoing rules and the following specific provisions:

(a) Upon learning that circumstances exist requiring the issuance of a withholding order, the General Counsel shall file a petition for withholding order with the hearing examiner. The petition shall recite the circumstances which require the issuance of a withholding order, and shall be accompanied by evidence of the circumstances.

(b) After consideration of the petition, the hearing examiner shall issue an interlocutory order and cause the same to be served upon the State or local agency from which funds are to be withheld. This interlocutory order and accompanying documents, if any, shall notify the State or local agency of the nature of the proceeding and shall afford a reasonable time (not less than fifteen days) for answer.

(c) If the State or local agency files a reply to the petition, the hearing examiner shall make appropriate provision for the presentation of evidence and argument by the agency and the General Counsel, orally or in writing.

(d) After consideration of the evidence and argument presented by the State or local agency and the General Counsel, the hearing examiner shall make a report to the Commission.

(e) If the Commission finds that a withholding order should issue, it will make and certify to the appropriate Federal agency an order requiring the withholding of funds.

(Sec. 12, 54 Stat. 767, as amended, 5 U. S. C. 118k)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 55-6451; Filed, Aug. 8, 1955;
8:50 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service; Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 59]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B—VESICULAR EXANTHEMA CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125), sections 1 and 2 of the act of February 2, 1903,

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RECORD RETENTION REQUIREMENTS

Reprint Notice

A reprint of the Federal Register dated April 8, 1955, is now available.

This issue, containing a 57-page index-digest of Federal laws and regulations relating to the retention of records by the public, is priced at 15 cents per copy.

Order from Superintendent of Documents,
Government Printing Office, Washington
25, D. C.

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as amended (21 U. S. C. 111-113, 120), and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117), § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulations (20 F. R. 2881, 2973, 3499, 3931, 4397, 4841, 5256), which contains a notice with respect to the States in which swine are affected with vesicular exanthema, a contagious, infectious, and communicable disease, and which quarantines certain areas in such States because of said disease, is hereby further amended in the following respects:

1. Subparagraphs (1) and (11) of paragraph (a) relating to California, are amended to read:

(1) NE. ¼ Sec. 25, T. 3 S., R. 3 W., MDBM; Secs. 22 and 24, T. 3 S., R. 2 E., MDBM; and that area included within a boundary beginning at a point on W. line of Plot 4, Rancho El Valle, 10.47 chains N. from N. line Plot 3, Rancho El Valle, thence N. 53° W. 17.95 chains, thence N. 69° 4' E. 6.67 chains, thence N. to County Road, thence SE. 100 feet along SW. line of County Road, thence S. to point of beginning, consisting of 32.98 acres within lots 8-15, in Alameda County.

(11) NE. ¼ Sec. 26, T. 3 S., R. 6 W., MDBM; and NW. ¼ Sec. 28, T. 4 S., R. 6 W., MDBM, in San Mateo County.

2. A new subdivision (iii) is added to subparagraph (6) of paragraph (d), relating to Atlantic County, in New Jersey, to read:

(iii) Lot No. 847, in Gloucester Farm and Town Association Subdivision, in Challoway Township, owned and operated by Stephen Waszen.

3. A new subdivision (xv) is added to subparagraph (8) of paragraph (d), relating to Gloucester County, in New Jersey, to read:

(xv) Lot No. 4, in Block 82, in Deptford Township, owned and operated by Mervyn Galbraith.

4. A new subdivision (ix) is added to subparagraph (11) of paragraph (d) relating to Monmouth County, in New Jersey, to read:

(ix) That part of Marlboro Township lying west of State Route No. 79, southeast of County Route No. 3, and northeast of Harbor Road.

5. Subparagraph (1) of paragraph (d) relating to New Jersey, is amended to read:

(1) All of Union County except New Providence Borough.

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes certain areas in California and New Jersey from the areas heretofore quarantined because of vesicular exanthema. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1954 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Subpart B, as amended, will apply thereto.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111. Interprets or applies secs. 4, 5, 23 Stat. 32, as amended; 21 U. S. C. 120)

Done at Washington, D. C., this 3d day of August 1955.

[SEAL] M. R. CLARKSON,
Acting Administrator
Agricultural Research Service.

[F. R. Doc. 55-6424; Filed, Aug. 8, 1955;
8:45 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

COMBINATION WHERE PUBLIC LAW 16 TRAINING FOLLOWS PUBLIC LAW 34 TRAINING

In § 21.294, that portion of paragraph (b) preceding subparagraph (1) is amended to read as follows:

§ 21.294 *Combination where Public Law 16 training follows Public Law 346 training.* * * *

(b) *Where veteran pursues Public Law 346 training after eligibility for*

Public Law 16 is determined. Where a veteran enters or resumes training under Public Law 346 after he has initially been determined to have a service-incurred compensable disability and notified to that effect; or where a veteran continues to pursue training under Public Law 346 for a period of more than 30 days after such notification without having filed an application for vocational rehabilitation or, having filed such an application, continues under Public Law 346 for a period of more than 30 days after being found in need, combination training under both laws may be approved under the following conditions:

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interpret or apply secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504, 1506, 1507, 58 Stat. 286, 300, as amended, sec. 261, 66 Stat. 663; 38 U. S. C. 637g, 637-637d, 697f, g, 971, ch. 12A note)

This regulation is effective August 9, 1955.

J. C. PALMER,
Assistant Deputy Administrator.
[F. R. Doc. 55-6447; Filed, Aug. 8, 1955;
8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1193]

[Idaho 04712]

IDAHO

AMENDING PUBLIC LAND ORDER NO. 1017 WHICH WITHDREW LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE IN CON- NECTION WITH CRATERS OF THE MOON AIR-TO-AIR GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Federal Register Document 54-7906 (19 F. R. 6500-1) of the issue for October 8, 1954, is hereby amended by adding thereto the following-described lands:

BOISE MERIDIAN

T. 1 S., R. 24 E.,
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 1 S., R. 27 E.,
Secs. 14 and 15;
Secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32,
and 33 (unsurveyed).
T. 2 S., R. 24 E.,
Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

2. The figures "449,071" descriptive of the aggregate acreage withdrawn by said order is changed to read "457,184.07."

ORLIE LEWIS,
Assistant Secretary of the Interior.
August 2, 1955.

[F. R. Doc. 55-6430; Filed, Aug. 8, 1955;
8:46 a. m.]

[Public Land Order 1200]

[Misc. 60381]

ALASKA

PARTIALLY REVOKING PUBLIC LAND ORDER NO. 872 OF NOVEMBER 5, 1952, RESERVING LANDS FOR USE OF THE ALASKA RAILROAD

By virtue of the authority contained in Section 1 of the act of March 12, 1914 (38 Stat. 305, 307; 48 U. S. C. 303, 304, 307) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 872 of November 5, 1952, reserving lands for use of the Alaska Railroad for railroad purposes, is hereby revoked so far as it affects the following-described lands:

ANCHORAGE TOWNSITE

Block 15, lot 5 as shown on plat of survey of Anchorage Townsite with South, East and Third Additions thereto, approved October 1, 1917.

The area described contains 7,000 sq. feet.

The lands are within the boundaries of Anchorage Townsite, and will be subject to disposal only under applicable townsite laws.

ORLIE LEWIS,
Assistant Secretary of the Interior.

August 2, 1955.

[F. R. Doc. 55-6431; Filed, Aug. 8, 1955;
8:46 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

PART 18—ELECTRIC MOTOR-DRIVEN MINE EQUIPMENT, JUNCTION BOXES AND OTHER ACCESSORY EQUIPMENT

There was published in the FEDERAL REGISTER of April 28, 1955 (20 F. R. 2858) a notice and text of proposed revised regulations governing investigations leading to approval of electric motor-driven mine equipment and junction boxes. After consideration of all relevant material presented pursuant to the notice, the regulations are issued as proposed, with following changes:

1. The second paragraph under "Preliminary statement" is revised.

2. Section 18.1 *Definitions* is revised.

3. Section 18.4 *Application for approval of equipment* is revised.

4. The statement at the extreme right of Figure 1 which reads "Connections between motor and starter. Three-wire rubber-covered cable, _____" Outside dia. No. _____ approximately _____ long. Connection to be protected by _____" Inside dia. three-braid air hose approximately _____" long" should be amended to read as follows: "Conductors between motor and starter. Three-wire rubber-covered cable, _____" outside dia. No. _____ approximately _____" long. Conductors to be protected by _____" inside dia. three-braid air hose approximately _____" long."

5. The first sentence in paragraph (b) of § 18.5 *Drawings and specifications required*, is amended to read as follows:

"An assembler who does not make the electrical parts for his machine shall submit a lay-out drawing (see figure 1) together with the following information, either on the drawing or attached thereto: (1) Each motor, controller, other electrical parts, and the wiring between them including conduit protection, (2) the rating of each motor, (3) the flame-resistant, portable cable, including gage of conductors, range of length, type (two-conductor round type G flat twin type G, etc.) and (4) protection for the portable cable, such as circuit breaker rating, make and current rating of trolley tap fuses (attachments for return conductor and frame ground conductor should be included) "

6. Sections 18.14 (c) 18.16 (e) 18.18 (b) and (h) 18.20 (c) 18.22 (c) and (f) 18.23, 18.24 (a) (8) 18.30 (a) 18.31, 18.37, and 18.57 are revised.

As so changed, Part 18 reads as set forth below.

FELIX E. WORMSER,
Assistant Secretary of the Interior

AUGUST 3, 1955.

The heading for Part 18 is revised to read as follows: Part 18—Electric motor-driven mine equipment, junction boxes and other accessory equipment.

Part 18 is revised to read as follows: ¹ *Preliminary statement.* The Bureau of Mines, at its Central Experiment Station, Pittsburgh, Pa., conducts investigations for determining the permissibility of electric motor-driven machines and the appliances used in connecting them to a source of power in gassy and dusty mines.

This part is issued for the information and guidance of those who may desire to submit such machines and appliances for approval, to inform purchasers and other interested persons regarding the qualities and minimum safety standards the Bureau believes such equipment should have, to specify the conditions and requirements for determining the permissibility of electrical equipment for use in coal mines, and to provide specifications which are designed to assure that such equipment will not cause a mine explosion or mine fire.

Lists of permissible equipment are published from time to time for the information and guidance of State mining officials, mine operators, and others interested in safeguarding mines.

The authority for conducting these investigations is contained in the Federal Coal Mine Safety Act (66 Stat. 692; 30 U. S. C. secs. 451, et seq.) and in the act of Congress (37 Stat 681) approved February 25, 1913, and amended June 30, 1932 (47 Stat. 410) and in Executive Order No. 6611, February 22, 1934 (30 U. S. C. secs. 5, 7) The act of 1913, as amended, and as modified by the Executive Order, contains the following provisions:

¹ This amendment would supersede Bureau of Mines Schedule 2E which was approved February 15, 1945.

For tests or investigations authorized by the Secretary of the Interior under the provisions of this act, other than those performed for the Government of the United States or State governments within the United States, a fee sufficient in each case to compensate the Bureau of Mines for cost of the services rendered to the manufacturer or assembler shall be charged, according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe the rules and regulations under which such tests and investigations may be made. All moneys received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

Subpart A—Normal Investigation Procedures

Sec.	General.
18.0	Definitions.
18.1	Consultation.
18.2	Fees charged.
18.3	Application for approval of equipment.
18.4	Drawings and specifications required.
18.5	Factory inspection forms.
18.6	Material required for investigation.
18.7	Shipments.
18.8	Assistance required during investigation.
18.9	Who may be present at formal investigation.
18.10	Classification of parts.
18.11	Operating voltage of equipment.
18.12	Switches.
18.13	Overcurrent protection of circuits and equipment.
18.14	Fuses and switches to be interlocked.
18.15	Conductors, conduit, and wiring.
18.16	Connection boxes on machines.
18.17	Protection against external arcs and sparks.
18.18	Electrical clearances and insulation.
18.19	Portable cables.
18.20	Connections to power source.
18.21	Cable reels.
18.22	Field assembly of certified components.
18.23	Detailed requirements for Class 1 parts.
18.24	Special requirements for Class 2 parts.
18.25	Detailed inspection.
18.26	Explosion tests.
18.27	Adequacy tests.
18.28	Portable cable damage resistance tests.
18.29	Portable cable flame resistance tests.
18.30	Certification of electrical components.
18.31	Final inspection.
18.32	Inspection and test reports.
18.33	Approvals.
18.34	Changes in design after approval.
18.35	Acceptance of changes made in the field.
18.36	Rebuilding or repairing of equipment.
18.37	

Subpart B—Experimental Electric Face Equipment in Gassy Mines

18.50	General.
18.51	Permit.
18.52	Application for permit.
18.53	Fees charged.
18.54	Drawings and specifications required.
18.55	Constructional requirements.
18.56	Final inspection.
18.57	Issuance of permit.
18.58	Duration of permit.
18.59	Permit label.
18.60	Withdrawal of permit.

AUTHORITY: §§ 18.0 to 18.60 issued under sec. 5, 36 Stat. 370, as amended, 30 U. S. C. sec. 7. Interpret or apply secs. 2, 3, 36 Stat. 370, as amended, 30 U. S. C. 3, 5.

SUBPART A—NORMAL INVESTIGATION PROCEDURES

§ 18.0 *General.* This subpart is prescribed pursuant to, and must be complied with in accordance with, the requirements of the Federal Coal Mine Safety Act.

§ 18.1 *Definitions.* As used in this part, the following terms have the meanings indicated:

Approval. Official written notification issued by the Bureau of Mines stating that the equipment complies with the regulations in this part for use in gassy and dusty mines.

Branch circuit. Parallel circuit, such as for headlight or drill, connected to the main circuit in a machine.

Certification. Official written notification issued by the Bureau of Mines stating that an electrical component complies with the requirements for explosion-proof construction and therefore is suitable for assembly as part of permissible equipment.

Connection box. Enclosure mounted on a machine to facilitate wiring of the machine without the use of permanent splices.

Distribution box. Portable enclosure in which one or more trailing cables from permissible machines may be connected to a common source of electrical energy.

Explosion-proof. Capable of withstanding internal explosions of methane-air mixtures without ignition of surrounding explosive methane-air mixtures and without damage to the enclosure or discharge of flame.

Incendive spark. An electric spark of sufficient intensity to ignite flammable methane-air mixtures.

Junction box. Stationary mounted enclosure by means of which one or more cables from permissible machines may be connected to a fixed (stationary) circuit.

Mobile equipment. Equipment which is self-propelled.

Normal operation. The performance of those functions for which the part was designed.

Permissible equipment. Completely assembled equipment to which an approval plate, label, or other device is attached as authorized by the Director of the Bureau of Mines under section 212 (a) Federal Coal Mine Safety Act (66 Stat. 692; 30 U. S. C. secs. 451-483)

Permit. A special written certificate of authorization prescribing the conditions under which a machine built or purchased for experimental purposes may be operated in a gassy mine.

Portable cable. A flexible cable or cord by means of which portable, semiportable, and mobile mine equipment may be connected to a source of electrical energy.

Portable equipment. Equipment that may be moved frequently and therefore constructed or mounted so as to facilitate moving it from place to place.

Pressure-piling. Abnormal explosion pressures resulting from the ignition of an explosive mixture that has been pre-compressed.

Semiportable equipment. Equipment that is moved infrequently and therefore not constructed or mounted for ready movement from place to place.

Splice box. Enclosure by means of which trailing cable sections may be joined within an explosion-proof housing.

Terminal box. Enclosure used to house the terminals on a motor, controller, rheostat, or other electrical part so that connections can be made conveniently to external circuits.

§ 18.2 **Consultation.** By appointment, manufacturers, engineers, or their representatives may visit the Bureau's Central Experiment Station, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, to obtain criticisms of proposed designs or to discuss the requirements of the regulations in this part in connection with equipment to be submitted. No charge is made for such consultations.

§ 18.3 Fees charged.

- (a) For detailed inspection of each explosion-proof enclosure..... \$45.00

NOTE: When the enclosure is of such nature that only a nominal amount of work is involved in the inspection, only half of this fee will be charged.

- (b) For explosion test of each explosion-proof enclosure..... 35.00

NOTE: When the explosion-proof qualities of an enclosure can be satisfactorily demonstrated in less than 20 tests, only half of this fee will be charged.

- (c) For each series of tests necessary to prove the adequacy of electrical clearances and insulation durability, or ventilation of each enclosure..... \$40.00
- (d) For each inspection made at the factory or elsewhere..... 35.00
- (e) Tests of portable cable.
- (i) Damage-resistance tests (complete official test)..... 25.00
- (ii) Development tests to determine resistance to damage by mine-car running over cable will be charged for at the rate of \$2.50 for each five runs over the cable, with a minimum charge of \$5.00.
- (iii) Flame-resistance tests (complete official test)..... 15.00
- (iv) Development flame-resistance tests will be charged for at the rate of \$3.00 per test sample, with a minimum charge of \$6.00.
- (f) For the examination and recording of all the necessary drawings and specifications preparatory to issuing an approval..... 40.00
- (g) For the examination and recording of drawings and specifications for each investigation of a motor, starter, and other individual explosion-proof unit considered independently of a complete machine assembly... \$20.00

¹In addition, the company shall pay the inspector's traveling expenses and subsistence as allowed by standard Government travel regulations.

- (h) For the examination and recording of drawings and specifications necessitated in consideration of changes subsequent to the initial investigation, a charge of \$40.00 will be made. However, if only a nominal amount of work is involved, the fee will be \$15.00.
- (i) No charge will be made for inspections and tests made solely for the Bureau's information.

Any sums deposited in excess of the fees charged pursuant to the fees specified in this section will be refunded.

§ 18.4 **Application for approval of equipment.**² Before the Bureau of Mines will undertake the active investigation leading to approval of any equipment³ the manufacturer or assembler shall make application by letter for an investigation of that equipment. This application in duplicate, accompanied by a check, bank draft, or money order payable to the U. S. Bureau of Mines to cover all necessary fees, shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, together with drawings and specifications as prescribed in § 18.5.

²The submission by or on behalf of a manufacturer or assembler of any type of apparatus for test implies acceptance by him of all the terms and conditions set forth in this part.

³Equipment for foreign shipment must meet the same requirements as that for domestic shipment.

Trolley tap..... Rail hook.....
Fused to 7 amps. for 230 volts.

If fused trolley tap is not used, any connection and wiring to the outer end of the cable shall be made in accordance with recognized standards of safety. The cable or circuit to the machine must have adequate fuse or other automatic circuit protection. Unless connection is in pure intake air, the trailing cable shall be connected by means provided on permissible equipment.

MOTOR
Frame No. 53-explosion-tested, 5 hp. 230 volts d. c. 1,150 r. p. m.
Identification.....

STARTER
Explosion-tested magnetic starter.
Identification.....

TRAILING CABLE
No. 6 two conductor type G flame-resistant portable cable 25' to 500' long.

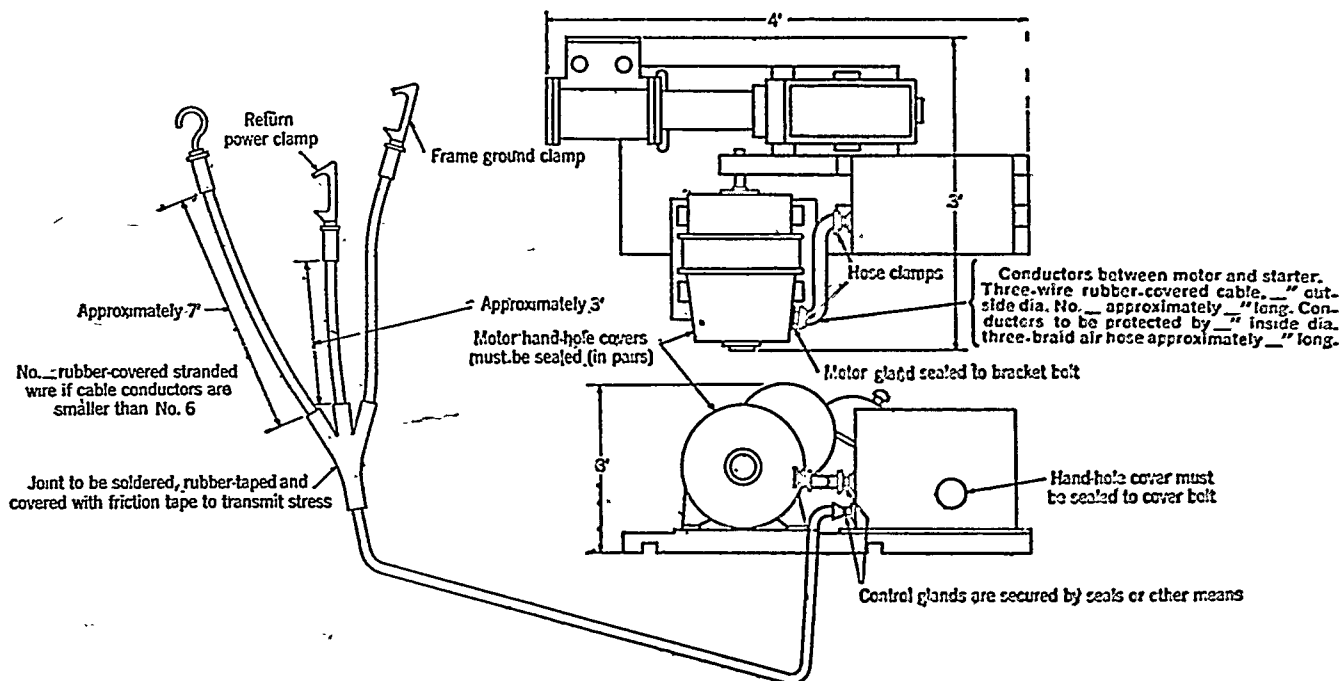


FIGURE 1—Layout drawing for Manufacturing Co.

§ 18.5 *Drawings and specifications required.* (a) The drawings and specifications shall be sufficient in number and detail to identify the design fully. Drawings must be numbered and dated to facilitate identification and reference in the records. The complete rating of each motor, and the setting of overload protective devices and the capacity of all fuses, shall be specified.

(b) An assembler who does not make the electrical parts for his machine shall submit a lay-out drawing (see figure 1) together with the following information, either on the drawing or attached thereto: (1) Each motor, controller, other electrical parts, and the wiring between them including conduit protection, (2) the rating of each motor, (3) the flame-resistant portable cable, including gage of conductors, range of length, type (two-conductor round type G flat twin type G, etc.) and (4) protection for the portable cable, such as circuit breaker rating, make and current rating of trolley tap fuses (attachments for return conductor and frame ground conductor should be included) In addition, he shall submit the following information where applicable: (5) The current setting of overload relays and circuit breakers, and current rating of fuses, (6) details of insulated strain clamp for portable cable if supplied by the assembler, (7) a connection or wiring diagram if necessary to specify connections, (8) any other detail information necessary to specify properly essential features of the assembly. Specific identification of the parts must be given (by style number, drawing-list number, mechanical specification number or other data) so that they can be identified in the Bureau's records as having been investigated. A factory inspection sheet similar to the Sample Factory Inspection Sheet shown in § 18.6 must be prepared by the assembler for his use to assure that a proper inspection is made before an approval plate is attached to the machine.

(c) A manufacturer who makes accessory parts of a machine shall furnish, in addition to the material and information listed in paragraph (b) of this section, the following material and information:

(1) A drawing or drawings that shall specify the material and detailed dimensions of all parts (i) that make up explosion-proof enclosures made by him for units included under Class 1 (see § 18.11) and (ii) that form any portion of the joints through which flames might escape. Upon request, the manufacturer shall specify the material and dimensions for such other parts as the Bureau considers necessary for proper record.

(2) Any other drawings found necessary to identify or explain any feature that has to be considered in determining whether a machine or parts thereof meet the requirements. For example, when a motor has a bearing of complex flame-path construction, the drawings should include a section through the bearing to show the relative position of each part in the assembly.

(3) A wiring diagram.

(4) If the drawings do not clearly indicate the purpose and functioning of

electrical interlocks and special features in automatic or remote-control circuits, a description explaining their purpose shall be furnished.

(d) The following exception is made concerning the type of drawings required for squirrel-cage induction motors: In lieu of furnishing individual detailed shop drawings, the motor manufacturer may, if he wishes, supply one or more "skeleton" drawings for official record, giving essential information concerning the materials of which the parts are made, as well as dimensions and clearances at all flame paths, such as joints, bearings, and cable entrances, for the motor and its conduit box. If full detailed dimensions are not given for all parts, this drawing (or drawings) may show the assembled motor in section, but the section or sections must show the parts in their correct proportions and location with respect to each other. A skeleton drawing shall not cover more than one motor-frame diameter. Information covering the ratings, range of voltages, speeds, and frequencies for which the motor will be available in this frame should be included on the skeleton drawing. Each frame shall have a suit-

able designation for purposes of reference and identification. In addition to the foregoing, detailed shop drawings will be required in connection with the initial inspection of a given motor. Such drawings will be used in making the inspection and will serve as a guide in determining whether sufficient information is given by the skeleton drawings. These detail drawings will not be officially listed or recorded.

(e) The Bureau reserves the right to make periodic factory inspections of motors submitted pursuant to this paragraph, for which listed charges will be made.

§ 18.6 *Factory inspection forms.* Every manufacturer shall furnish to the Bureau a copy of the form that will be used by him in the inspection of assembled equipment at the factory. This form shall draw special attention to the wiring as well as to features that must be observed in order to make certain that explosion-proof enclosures are complete in all respects and agree with drawings filed with the Bureau. The following sample form may be used as a guide in drafting one suited to a particular machine:

SAMPLE FACTORY INSPECTION SHEET

Date	Unit serial No.	Motor make, type, and frame
Motor serial No.	Hp.	Speed
Model or drawing list No.	Starter make and type	Motor wound
Starter hp.	Starter voltage	Drawing list
Short circuit	Portable cable length	Size
No. of conductors	Conductor markings (+)	(-)
Ground	Are motor covers wired and sealed? (or padlocked?)	
Is motor gland packed with at least ½ inch of packing along cable when compressed?		
Is motor gland secured against loosening?		
Are lock washers in place on all bracket bolts?		
Are lock washers in place on retaining-plate bolts?		
Are lock washers in place on pole-piece bolts?		
Do end brackets fit tightly against frame?		
Are there any openings into the interior of the motor?		
Is air-hose conduit in good condition?		
Is air-hose conduit securely clamped to motor packing gland?		
Is air-hose conduit clamped to base securely?		
Is air-hose conduit clamped securely to starter packing gland?		
Is starter motor-cable gland properly packed?		
Is starter motor-cable gland secured against loosening?		
Is starter portable-cable gland properly packed?		
Is starter portable-cable gland secured against loosening?		
Are stuffing boxes for starter-, motor-, and portable-cable glands secured against loosening?		
By fillister head screw?	By headless set screw?	
By brazing or welding?		
Are motor-cable connections in starter tight?		
Are the portable-cable connections in starter tight?		
If used, is ground connection in starter tight?		
Is positive conductor in portable cable connected to positive side of starter?		
Is negative conductor in portable cable connected to negative side of starter?		
Is ground conductor (if used) properly connected?		
Is starter portable-cable-gland strain clamp properly insulated?		
Does starter portable-cable-gland strain clamp hold cable firmly so as to prevent strain on terminals?		
Are lock washers in place on all cover bolts?		
Is cover-to-box flange joint tight?		
What size feeler can be inserted in joint (if any)?		
Is ungrounded power () conductor in portable cable connected to trolley tap?		
Is grounded power () conductor in portable cable connected to ground clamp?		
Is frame ground () conductor (if present) of portable cable connected to ground clamp?		
Trolley tap make and type		
Fuse for trolley tap make, type, and rating		
Ground clamps make and type		
Are there any through holes into the starter compartment?		
Does the trailing cable pass over sharp corners or edges on machine?		
Is trailing cable liable to sharp bends or kinks at the machine?		
Does motor-to-starter conduit pass over sharp corners or edges?		
Is motor-to-starter conduit liable to injury from moving parts?		

* The reason for limiting the exception to squirrel-cage induction motors is that this type of motor is nonsparking in normal operation.

§ 18.7 *Material required for investigation.* (a) It is not necessary to ship a completely assembled machine for the purpose of inspection and test when approval is desired. Gearing and mechanical parts, unless needed to complete explosion-proof enclosures, may be omitted. Only one motor, controller, rheostat, or other electrical unit of a given size and design need be shipped to the Central Experiment Station.

(b) When the design necessitates the setting of tolerances to assure satisfactory running fits or safety of joints in explosion-proof casings, the parts submitted for test shall, if feasible, have the tolerances that give the maximum opening at the joints. Where a wide margin of tolerances (over 0.005 inch) is considered necessary by the manufacturer, the Bureau reserves the right to require test of a part under the conditions of maximum tolerance that the manufacturer wishes to use.

(c) Pinion pullers and any other special tools needed in disassembling any parts for inspection or test shall be furnished with the equipment submitted.

§ 18.8 *Shipments.* (a) The manufacturer shall arrange for, and prepay all costs of shipments of material to the Central Experiment station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania. He shall also arrange for, and assume all costs of crating and removal of parts upon completion of the investigation.

(b) Unless instructed to the contrary, manufacturers may ship parts to the Bureau for inspection and test immediately after filing application. Inspection and test usually are undertaken in the order of receipt of parts, provided that the application, fees, and drawings have been received.

§ 18.9 *Assistance required during investigations.* When requested to do so, the manufacturer shall provide a man to assist in disassembling parts for inspection and to prepare them for test by drilling and tapping them for pipe connections. He shall also assist in mounting and connecting the parts for test.

§ 18.10 *Observers at formal investigations and demonstrations.* No one shall be present during any part of the formal investigation conducted by the Bureau which leads to approval for permissibility except the necessary Government personnel, representatives of the applicant, and such other persons as may be mutually agreed upon by the applicant and the Bureau. Upon granting approval for permissibility, the Bureau will announce that such approval has been granted to the device and may thereafter conduct, from time to time in its discretion, public demonstrations of the tests conducted on the approved device. Those who attend any part of the investigation, or any public demonstration, shall be present solely as observers; the conduct of the investigation and of any public demonstration shall be controlled wholly by the Bureau's personnel. Results of chemical analyses of material and all information contained in the drawings, specifications,

and instructions shall be deemed confidential and their disclosure will be appropriately safeguarded by the Bureau.

§ 18.11 *Classification of parts.* The electrical parts of a machine that may cause ignition of mine gas or coal dust are divided into three classes. These classes, together with the general type of enclosure that must be provided for the purpose of preventing ignitions, are as follows:

(a) *Class 1.* Class 1 shall include motors, controllers, fuses, switches, contactors, and all other parts that may produce sparks or flashes as the result of normal operation. Headlights, meters, rheostats, electromagnets, squirrel-cage-type induction motors, and similar parts which may become dangerous because of failure of electrical circuits in them are also included in this class. Explosion-proof casings shall be used to enclose this class of parts.

(b) *Class 2.* Class 2 shall include all parts, such as batteries, interlocked plugs and receptacles, external connections, and wiring between enclosures, that do not produce sparks or flashes as the result of normal operation but may do so as the result of accident. Such connections and wiring shall have adequate shields or guards of strength and character proportionate to the risk of injury, or else they shall be enclosed in explosion-proof casings.

(c) *Class 3.* Class 3 shall include all parts, such as disconnecting switches, and non-interlocked plugs and receptacles, that may produce sparks or flashes in normal operation but are not of necessity operated while the equipment is in a gassy place. Such parts shall be enclosed in explosion-proof or adequately locked casings. If locked casings are used, they shall have adequate mechanical strength.

§ 18.12 *Operating voltage of equipment.* No hand-held drill or other small portable apparatus intended to be held in the hands or supported against the body while in use will be approved for potentials above 250 volts, direct current, or 220 volts, alternating current; however, approvals may be granted for certain other machines if the operating potential does not exceed 550 volts at the motor terminals of direct-current machines or 650 volts at the motor terminals of alternating-current machines.

§ 18.13 *Switches.* (a) Every machine including battery-operated equipment shall have a main service switch or its equivalent, such as line contactors or circuit breakers, by means of which all power conductors can be opened. This service switch shall be designed and constructed so that it can be operated readily from the machine either directly or by remote control. It shall be capable of interrupting operating overloads up to values at which the fuses or other automatic circuit-interrupting devices protecting the machine actually open the circuit, without grounding or destructive arcing. A manually operated controller is not acceptable as a service switch except that for small motors (with a continuous rating not exceeding 5 hp. or an intermittent rating of not more than 10 hp.), a suitable controller

and protective device combined will be considered. When a controller is accepted as a service switch, it must open all power conductors.

(b) When it is not practical to mount the service switch on the machine proper, a switch suitably mounted on a cable reel truck or a skid may be accepted, provided not more than 75 feet of cable is used to connect the switch to the machine. It is recommended that the length of cable be kept to 50 feet or less.

(c) A separate switch or switches shall be provided for headlights and floodlights so that, if lenses are broken, it will be possible to open all conductors of the circuit to each damaged unit, unless the circuit can be opened without hazard by the removal of interlocked headlight fuses.

(d) Post drills, hand-held drills, and portable blowers shall be provided with a switch at the motor, with one pole for each power conductor of the portable cable.

(e) Locomotives designed to operate on either trolley or cable shall be provided with a transfer switch or its equivalent which inherently prevents energizing one from the other. This switch shall be so connected that there will be no electrical connection to the locomotive frame when the cable is energized. When a locomotive is equipped with two trolley poles, a switch or its equivalent shall be provided so that connection and disconnection of circuits to the poles can be accomplished without hazard.

(f) Belt conveyors shall be equipped with control switches to automatically stop the driving motor in the event that the belt is stopped or abnormally slowed down by slipping on the driving pulley, breakage, or other accident. An adequate device shall be provided to prevent slope belts from overspeeding.

§ 18.14 *Overcurrent protection of circuits and equipment.* (a) The portable cable for every machine shall be protected by a circuit breaker or other automatic circuit-interrupting device of suitable capacity in each ungrounded conductor.

(b) An automatic circuit-interrupting device shall be placed at every point where there is a reduction in the size of wire to protect the small wire, unless the protection of the larger wire also protects the smaller one.

(c) Circuit breakers or other automatic circuit-interrupting devices shall be inserted in each conductor at the point where branch circuits are connected to the main circuits on a machine if the branch circuit conductors have a current carrying capacity of less than 50 percent of the main conductors. For headlight and control circuits, this requirement is to be construed as meaning that each conductor having a current carrying capacity of less than 50 percent of the main to which it connects must be protected by a fuse or its equivalent at the point of connection. Any circuit which is entirely self-contained in an explosion-proof enclosure shall be exempt from this requirement.

(d) Every wire and cable leaving the battery box of storage-battery-operated equipment shall have protection placed

as close as practicable to the battery terminal to which the wire or cable is connected.

(e) Every motor shall be protected by an automatic circuit-interrupting device. If more than one motor is employed on a machine, each motor should have individual overload protection; however, in some instances, more than one motor may be grouped under one protective device if the motors perform the same function on a machine or if their size and duty permit reasonable protection. For direct-current machines to be operated on grounded systems and having two or more motors of unequal rating, the largest motor of the group may be protected by a protective device in the ungrounded line only. Protective devices may be required in both lines for the small motor. An additional protective device may be used in the grounded line to the largest motor if the functioning of this device will cause both lines to open. Protective devices that do not give short-circuit protection shall be supplemented by a fuse, instantaneous operating relay, or equivalent connected in the ungrounded line. (A trolley tap fuse is not considered to fulfill this requirement.) If protection is not inserted in the grounded line, particular attention shall be given to marking the polarity at terminals or to other means of minimizing the possibility of reversing connections that would change the protection to the grounded line.

(f) For 3-phase alternating current, each of the three lines shall be provided with a fuse or with an automatic circuit breaker of such design that the opening of one phase will cause the other two phases to open. (Overload relays in two phases may be accepted if a line fuse is used in the third phase.)

(g) The interrupting capacity of contactors and automatic circuit breakers used to protect both alternating- and direct-current equipment shall be adequate for the service intended. The Bureau reserves the right to test contactors and circuit breakers when their adequacy is in question. (See § 18.28.)

(h) The functioning of main protective devices other than fuses shall open each pole of the contactors or circuit breakers in the main conductors, and these devices shall be arranged to permit resetting without opening the compartment in which they are enclosed. Reset mechanisms shall not prevent the proper functioning of circuit-interrupting devices designed to give short-circuit protection. Overload relays that do not give short circuit protection may be used if fuses or equivalent are inserted in the same conductors with them.

§ 18.15 *Fuses and switches to be interlocked.* (a) Main fuses and also fuses protecting branch circuits other than headlight and control circuits shall be interlocked with a switch or circuit breaker to permit quick and convenient renewal of fuses without introducing the hazard of igniting methane or coal dust. Fuses on small machines, such as hand-held drills and portable blowers, when enclosed in locked or sealed explosion-proof compartments, may be exempted from the requirements for an interlock,

provided they can be renewed conveniently.

(b) Multiple fuses arranged to be successively inserted in circuit may be construed, as meeting this requirement for main fuses if enclosed in locked or sealed explosion-proof compartments on storage-battery-operated equipment.

§ 18.16 *Conductors, conduits, and wiring.* (a) Every conductor shall have adequate insulation from ground and from conductors of opposite polarity.

(b) All conductors shall have a current-carrying capacity adequate for the intended duty.

(c) All wiring, particularly that outside of locked or explosion-proof enclosures, shall have adequate mechanical and electrical protection. If rigid conduit is unsuitable or undesirable for any reason, a good grade of rubber air hose or equivalent may be construed as meeting the requirement for mechanical protection. Flexible metal conduit is not acceptable. All conduit ends must be adequately clamped or otherwise secured to prevent their being pulled out. Rubber hose ends should have inserts or special fittings to insure positive fastening. Cables exceeding 25 feet in length for remote-control circuits may be exempted from the requirement of conduit protection, providing these circuits are energized from a source that will not give an incendive spark or are constructed in accordance with the last part of table 1, § 18.24 (a) (7) (i) (d). The conductors of such cables with conduit protection shall not be less than No. 16 for two-conductor or less than No. 18 for three-conductor cables, and 600-volt all-rubber or equivalent insulation shall be used in their construction.

(d) Sharp edges and corners shall be removed at all points where there is a possibility of damaging the insulation of wires, cables, or conduits by cutting or abrasion.

(e) Wiring and conduits on machines shall be well cleated or otherwise held to prevent rubbing against moving parts and to minimize vibration or displacement. Conduits on machines should be placed where they will not be subjected to damage by falling materials, by tools and material carried on the machines, or by derailments. Conduit runs should be as short and direct as is consistent with adequate mechanical protection. Wires and cables that are not resistant to water and oil shall be protected from damage by water, oil, and grease.

(f) The ends of wires and cables shall be held or clamped in a manner that will minimize the possibility of the ends coming loose from their connections and swinging against the sides of enclosing casings or against parts of opposite polarity.

§ 18.17 *Connection boxes on machines.* When it is not feasible to wire a machine without providing joints in the conductors between parts, such joints are permitted: *Provided*, That suitable connectors adequately insulated and securely held are used. Connection boxes or their equivalent shall be used to give adequate shielding against mechanical injury to the connections. It is recommended that explosion-proof en-

closures be provided for this purpose. A connection box will be acceptable where it would facilitate renewal of portable cables without opening less-accessible explosion-proof casings.

§ 18.18 *Protection against external arcs and sparks.* (a) The frames of motors, their control equipment, and associated electrical parts shall be electrically connected, preferably through the base or frame of the machine which the motor or motors operate. When the controller or starting device is not mounted on the base of the machine, the requirement for connection will be satisfied by an additional conductor in the connecting cable or by a rigid metal conduit electrically continuous throughout its length, which connects the casing of the controller or starter with the frame of the motor.

(b) All machines which receive power from an external source and which cannot be considered as being in intimate electrical contact with earth shall be provided with means for maintaining their frames at ground potential, or with a device, enclosed in an explosion-proof compartment, that will disconnect power from the equipment in event of a ground fault.

(c) The frames of mining machines regularly transported on separate trucks shall be electrically connected to the truck frames if power connections are made to the trucks. If power connections are not made to the trucks, the provisions shall be the same as for other machines not transported on separate trucks.

(d) Frames of longwall machines that use a junction box or its equivalent shall be electrically connected to the latter by a separate conductor in the portable cable.

(e) Junction boxes shall be provided with adequate means for maintaining their cases at ground potential.

(f) Distribution-box cases shall be maintained at ground potential and the frames of machines receiving power from distribution boxes shall be electrically connected thereto by an additional conductor in the connecting cables.

(g) Push-button enclosures not mounted on the frames of machines or on control equipment shall be electrically connected to the latter frames unless the source of supply will not give an incendive spark, or unless the stations are to be mounted on a separate grounded support. In the latter case the electrical connection should not be used.

(h) Cover bolts and other fastenings needed to maintain tight joints in explosion-proof enclosures shall not be used to hold electrical connections or terminals.

(i) The size of a conductor used to maintain machine frames at ground potential shall be determined in accordance with the following:

(1) If the size of the power conductor is No. 6 or larger, the cross-sectional area of the additional conductor shall not be less than 50 percent of that of the power conductor, except that in no case shall the additional conductor be less than No. 8.

(2) If the size of the power conductor is smaller than No. 6, the cross-sectional area of the additional conductor shall not be less than that of the power conductor.

(3) Where a ground fault trip is used, the size of the additional conductor may be less than under subparagraph (1) of this paragraph if necessary but not less than No. 8.

(j) Belts used for power transmission shall not give rise to static-electric sparks.

§ 18.19 *Electrical clearances and insulation.* (a) The clearances between live parts and casings shall be such as to minimize the possibility of arcs striking to the casings, or if space is limited, the casings shall be lined with adequate insulation. This requirement applies especially to switches and controllers.

(b) Phenolic and other insulating materials that give off highly explosive gases when decomposed electrically should not be placed within explosion-proof enclosures where they might be subjected to destructive electrical action.

§ 18.20 *Portable cables.* (a) Every machine operated from an external source of power shall have a portable cable of adequate length and current-carrying capacity. The length shall not exceed 500 feet. This cable shall have an outer sheath of rubber or equivalent material that is highly resistant to pulling apart, abrasion, moisture, and flame. The cable shall meet the flame-resistance test outlined in § 18.30. The conductors shall have high-grade insulation of rubber or its equivalent. The use of colored insulation or other suitable markers is recommended for identifying individual conductors to facilitate proper connections and splicing according to polarity. The number of conductors in the portable cable should be kept to the minimum necessary for feasible operation of the machine. The portable cable for locomotives and track-mounted equipment shall contain not less than two power conductors. The size of power conductors in portable cable shall not be smaller than No. 14.

(b) Suitable provisions shall be made to facilitate disconnection of portable cable quickly and conveniently for replacement.

(c) Portable cables shall be sectionalized only with approved devices: *Provided, however* That sectionalizing connectors used outby the last open crosscut need not be approved but shall be clamped or otherwise held together to prevent accidental separation.

(d) The portable cable shall be held firmly by means of an adequate insulated clamp or by other equally suitable means for eliminating strain upon the terminal connections. The cable entrance and fastenings shall be so designed and arranged as to prevent short bends in the cable and mechanical injury to its insulation. These requirements are of particular importance in connection with drills and equipment employing cables with conductors smaller in size than No. 6. If the speed and conditions of operation are likely to cause jerking on cables, the Bureau reserves the right

to require means for relieving the stress on the cables.

(e) When a portable cable has conductors smaller than No. 6 and the conductors are separated to make connection to a power supply, a rubber-sheathed or equivalent single-conductor cable of not less than No. 6 gage shall be spliced to each conductor of the portable cable at the point of separation. The splice should be adequate both electrically and mechanically. It is recommended that such splices be vulcanized.

(f) Portable cables shall have adequate mechanical strength to resist pulling apart in service. The conductor size for shuttle car and locomotive service shall not be less than No. 4 A. W. G.

§ 18.21 *Connections to power source.* (a) The free ends of portable cables shall be provided with means of attaching the cables to the power circuit without personal hazard. Attachments used for this purpose shall be completely specified; also, the rating of the overcurrent device shall be specified. The capacity of the overcurrent device shall not exceed that necessary to prevent destructive heating of the cable. Rail clamps for attachment of power conductors shall not be used for other connections.

(b) A rolling or sliding contact that will permit "tramping" without holding the connection in the hand may be used. Such contact must not be arranged for any purpose other than tramping.

§ 18.22 *Cable reels.* (a) Self-propelled machines designed to travel at speeds exceeding 2½ miles per hour shall have a suitable mechanically or electrically driven reel upon which to wind the portable cable. The Bureau reserves the right to require such cable reels for speeds under 2½ miles per hour if the service imposed upon the portable cable is judged to be unduly severe. The construction of the housing for moving contacts or slip rings shall conform to the requirements for Class 1 parts.

(b) The Bureau also reserves the right to require hand-operated reels or suitable "horns" upon which to wind the portable cable for machines that are not self-propelled. When it is not practical to mount such reels or horns on the machines, the Bureau may grant the option of mounting them on separate trucks or skids.

(c) When cable reel bearings are used as a part of any electrical circuit, the voltage drop through the bearings at rated current of the conductor in that circuit shall not exceed the voltage drop at rated current in the conductor.

(d) Cable reels and cable-spooling devices shall be insulated to keep the portable cable from resting against grounded metal parts. Insulating materials used for this purpose shall be flame-resisting.

(e) Cable reels for shuttle cars and locomotives shall maintain positive tension on the portable cable during both reeling and unreeling. This tension shall not be greater than necessary to insure that the car or locomotive cannot run over its own cable.

(f) The design of bearings for cable guides, particularly on locomotives and

shuttle cars, shall be such that dirt picked up by the cables will not prevent free rotation of the rollers.

(g) Self-propelled machines receiving their power through portable cables shall not have traveling speeds rated in excess of 6 miles per hour.

§ 18.23 *Field assembly of certified components.* Components such as motors, controllers, rheostats, etc., bearing the certification plates of the Bureau may be assembled by a mine operator, builder, or assembler. Each such complete assembly shall be considered by the Bureau as permissible equipment only after a qualified representative of the Bureau inspects the assembly and determines that the components are assembled, wired, and protected in conformance with the applicable requirements of this part and an approval plate, label, or device has been attached as authorized in writing by the Bureau.

§ 18.24 *Detailed requirements for Class 1 parts—(a) Enclosure casings—(1) Materials and construction.* (i) The casings forming the enclosure for Class 1 parts shall be of suitable material, adequate strength, and especially durable, in order that, with proper care and maintenance, the explosion-proof qualities of the parts will remain unimpaired not only when subjected to pressures developed during the explosion tests but also under the severe conditions imposed by mining service. Sheet metal used for walls and covers in fabricating explosion-proof casings shall be of sufficient thickness, unless adequately reinforced with ribs or their equivalent, to prevent permanent distortion by explosion tests. Material of less than 3/16-inch thickness is not recommended. When welding is employed to join pieces forming walls of explosion-proof casings, the joints shall be continuously and effectively welded. Joints that are machined after welding shall be reinforced to compensate for any weakening caused by such machining.

(ii) Casings may be either of the totally enclosed type in which no provision is made for ventilation of the interior or else of the type having provision for ventilation or relief of pressure from internal explosions. Totally enclosed construction, however, is recommended by the Bureau. Complicated casings and fabricated housings shall be pressure-tested at the factory to reveal blowholes and other weaknesses, if, in the judgment of the Bureau engineers, inspection is inadequate to determine those weaknesses.

(iii) If provision is not made for pressure relief through special devices, the casing will need to be strong enough to withstand explosion pressures approaching 100 pounds per square inch with an adequate factor of safety. However, if a casing communicates with another through a small passage or is itself divided by a partition the effect of "pressure-piling" may be produced, and pressures considerably in excess of 100 pounds per square inch may be anticipated.

(2) *Joints and machining tolerances.* (i) When an explosion-proof enclosure consists of two or more metal parts held

together by bolts or other suitable means, the flanges comprising the joints between parts shall have surfaces making metal-to-metal contact. Glass-to-metal joints are permitted in casings, such as those for headlights and meters. Gaskets, if adequate, may be used to obtain a firm seat for the glass, but not elsewhere. Rubber, putty, and plaster of paris are not acceptable as gasket materials.

(ii) The surfaces comprising a flange joint need not be all in one plane. For enclosures having a volume of more than 60 cubic inches, the total width of joint measured along the shortest path from inside to outside of the enclosure shall not be less than 1 inch, except as follows: A rabbet joint having a total width of $\frac{3}{4}$ inch may be accepted if neither the cylindrical nor the plane fit is less than $\frac{1}{8}$ inch wide. If the volume is 60 cubic inches or less, a minimum width of $\frac{3}{4}$ inch may be accepted for plane joints, but a 1-inch width of plane or rabbet joint is recommended. The diametrical clearance for cylindrical fits in rabbet joints shall not exceed 0.004 inch if the plane fit is less than $\frac{1}{4}$ inch wide. If the plane fit is $\frac{1}{4}$ inch or more in width, the diametrical clearance for cylindrical fits shall not exceed 0.008 inch. The edge of a rolled-steel plate forming part of an explosion-proof enclosure may be used as a plane flange, provided the width does not fall short of the previously specified flange widths by more than $\frac{1}{16}$ inch.

(iii) The width of blowholes in joint surfaces will be deducted in measuring flange widths. Diameters of holes for bolts or screws required to maintain tight joints will also be deducted in such measurements only. (a) If excessive clearance is allowed for the bolt in its hole; (b) if the nominal diameter of the bolt hole is more than half of the required metal-to-metal contact. It is recommended that bolt and screw holes be located so that the shortest distance along the joint from the interior of the enclosure to the edge of the hole is not less than $\frac{1}{16}$ inch. However, less than $\frac{1}{4}$ inch will not be accepted for 1-inch joints or less than $\frac{1}{16}$ inch for joints under 1 inch. (Exception may be made for narrow interpoles, in which case the distance from the edge of the pole piece to the bolt hole in the motor frame shall be not less than $\frac{1}{8}$ inch and the diametrical clearance for the bolt shall not exceed $\frac{1}{16}$ inch for not less than $\frac{1}{2}$ inch. Furthermore, the pole piece shall seat against the frame surface.)

(iv) Bolts and screws shall be close-fitting in holes that cut through joint surfaces. If the edge of a bolt or screw hole is less than $\frac{1}{16}$ inch from the interior of the enclosure, the diametrical clearance around the bolt or screw shall not exceed $\frac{1}{32}$ inch, and this clearance shall be maintained for at least $\frac{1}{2}$ inch as measured from the joint. (When $\frac{1}{2}$ -inch rolled-steel plate is used for covers, a finished thickness of not less than $\frac{1}{16}$ inch may be accepted as meeting this requirement.)

(v) When the flanges of a joint cannot be brought into actual contact with each other, owing to warping or faulty machining of parts or necessity for sliding fits, the requirement for metal-to-

metal contact will be construed as having been met for plane flanges under the following conditions:

1. The separation must not exceed 0.004 inch at any point.
2. The 0.004-inch separation must not extend over 6 inches along the joint.
3. The joint must not permit discharge of flame during explosion tests.

(vi) When it is necessary in manufacture to provide for a running fit between cylindrical surfaces other than for shafts, a shoulder shall be included in the design to provide a change in direction through the flame path between the parts. In the joints of this type, the diametrical clearance between cylindrical surfaces shall be kept as small as feasible, but in no case shall it exceed 0.01 inch. The length of cylindrical fit shall be at least 1 inch for volumes over 60 cubic inches and at least $\frac{3}{4}$ inch for volumes of 60 cubic inches or less.

(vii) Laminated motor frames having end rings assembled as an integral part under high pressure may be considered with less width of contact between the end rings and laminations than that specified in the preceding paragraphs. It is recommended that the metal-to-metal contact be kept as near the 1-inch standard as practical, but less than $\frac{1}{4}$ inch will not be accepted. If less than the 1-inch standard width is used for joints of this type, the construction must permanently preclude any separation between the end rings and laminations, and if a 0.0015-inch-thickness gage can be inserted $\frac{1}{8}$ inch at any point, the construction will be considered unsatisfactory. The joint should not tend to open under explosion pressure.

(3) *Bolts and similar fastenings.* (i) Bolts and similar means of clamping flange joints together shall be generously proportioned to minimize stripping of threads and give adequate strength. Soft metals should not be tapped for bolts and screws if the threads can be stripped or damaged easily. Clamping bolts and screws should be at least $\frac{1}{4}$ inch in diameter and preferably not less than $\frac{1}{2}$ inch. The Bureau reserves the right to prohibit the use of clamping bolts and screws for purposes in addition to that of fastening parts of the enclosure together.

(ii) Unless the design permits especially rigid construction between bolts, spacings greater than 6 inches are not recommended for flange joints.

(iii) All bolts, nuts, and screws used in fastening flange joints, as well as those in holes through enclosure walls for holding parts, such as pole pieces, brush rigging, and bearing caps, shall be provided with lock washers or other suitable means to prevent loosening. The length of threads in bottomed holes and on bolts, screws, and studs shall be such that the joint can be made tight even though lock washers are omitted. Where feasible, bolts of unequal lengths should be avoided to prevent mistakes in assembly.

(4) *Through holes for bolts, screws, and rivets.* (i) Through holes into explosion-proof casings shall be kept to a minimum. Holes for bolts, screws, etc. shall be "blind" or bottomed if the omis-

sion of a bolt or screw would leave an unprotected opening into the casing. If unavoidable, holes may be made through casings for bolts, studs, or screws that are necessary to hold essential parts, such as pole pieces and brush rigging, provided the bolts, etc., have an adequate long close fit through the casing and provided at least two bolts, studs, or screws are used for each part held. In addition, one of the following optional conditions shall apply: (a) Each hole must be bottomed in the part held and adequate metal-to-metal contact provided between the part and the casing to insure an effective internal seat around the hole if the bolt or screw is omitted or lost, or (b) if studs are used, they must be permanently fastened in the part held, or (c) bolts passing entirely through pole pieces must be arranged so that they cannot be removed without removal of the armature, or (d) special nonremovable bolts must be adequate for the intended purpose.

(ii) Holes shall not be drilled through walls of explosion-proof casings for screws holding name plates or approval plates.

(5) *Inspection openings and covers.* The number of openings in explosion-proof enclosures shall not exceed the minimum required for proper assembly and inspection of parts. Openings, such as those necessary for inspection of motor commutator and brushes, are permitted if suitable covers are provided. These covers must have the width of flange joint previously specified or a threaded joint with sufficient threads to give the required width of surface in contact. Screw covers and those held by special clamps and screws must be secured against unauthorized opening by means of a lock or a nonrusting wire and seal. Where the seal wire alone is of insufficient mechanical strength, an additional fastening such as a set screw or a pin should be used. The distance between two holes through which the seal wire is threaded shall be made as short as feasible.

(6) *Bearings and shaft clearances.* Armature, controller, switch, and other shafts or rods carried through walls of explosion-proof enclosures do not require stuffing boxes, but to prevent discharge of flame the path shall be made up of metal parts having lengths and clearances as follows:

(i) For plain journaled bearings, the diametrical clearance between the shaft and bearing shall not exceed 0.01 inch to provide for a running fit, and this running fit shall not be less than 1 inch for enclosures having a volume more than 60 cubic inches or less than $\frac{3}{4}$ inch long for an enclosure having an internal volume of 60 cubic inches or less.

(ii) Roller and ball bearings are not accepted as suitable barriers for stoppage of flames; therefore, a flame path shall be provided between a shaft and the parts of bearing housings which shall not be less than 1 inch long for enclosures of more than 60 cubic inches volume. If the volume is 60 cubic inches or less, this part of the flame path may be reduced to $\frac{3}{4}$ inch. In either case the diametrical clearance shall not be

greater than 0.03 inch at any point in the $\frac{3}{4}$ - or the 1-inch path, and shall not permit discharge of flame.

(iii) Oil grooves in bearings and felt rings, oil grooves, or grease seals in bearing housings are not to be included in the measurement of the length of running fit along a shaft. Such grooves are allowed if not of sufficient volume to reduce the effectiveness of the path. Openings made for filling and draining bearings shall be outside of the required length of path. A removable outer bearing cap is not considered part of the required length of fit, unless the cap is essential to hold the bearing in place.

(iv) Labyrinths or other special arrangements may be accepted if they provide equivalent lengths and clearances and are made up of rugged parts not likely to be readily omitted.

(v) If large-diameter bearings are used, reduced clearances may be required. It is recommended that flame paths at bearings be of as small diameter as feasible.

(7) *Lead entrances.* (i) All electrical conductors that pass through the walls of explosion-proof enclosures shall be provided with adequate insulation and guards at the point of entrance to the enclosure in accordance with one or more of the following:

(a) If stuffing-box lead entrances are used, the packing material shall be untreated asbestos, such as woven valve-stem packing, and it shall be not less than $\frac{3}{16}$ inch in diameter. The size and kind shall be specified on the drawings or bills of material. The amount of packing material in each stuffing box shall be such that when compressed, it will completely surround the wire or cable for not less than $\frac{1}{2}$ inch measured along the wire or cable.

(b) The stuffing-box design and the amount of packing used shall be such that, with the packing properly compressed, the gland still has a clearance distance of $\frac{1}{8}$ inch or more to travel without meeting interference by parts other than packing. The glands shall be secured against loosening. The use of insulating bushings in stuffing boxes is recommended, especially for voltages that exceed 250. When an outer braid insulation covering is used on wires and cables passing through stuffing boxes, it should be made of asbestos or slow-burning material.

(c) The width of space for packing material shall not exceed the diameter or width of the uncompressed material by more than 50 percent. At other points small clearances shall be maintained between the stuffing-box parts and the cables or wires passing through them. A diametrical clearance greater than $\frac{1}{16}$ inch will not be accepted if the size of packing material used is smaller than $\frac{1}{4}$ inch square or round, nominal. If the size of packing material is $\frac{1}{4}$ inch or larger square or round, a diametrical clearance not greater than $\frac{3}{16}$ inch will be accepted.

(d) To minimize deviation from acceptable clearances in stuffing boxes, the portable cables used in them shall conform to the standardized dimensions given in the tables which follow:

TABLE 1—NOMINAL DIAMETERS OF ROUND CABLES WITH TOLERANCES IN INCHES

Conductor size (AWG)	Single conductor		2-conductor				3-conductor, types W & G	4-conductor, types W & G	5-conductor, types W & G	6-conductor, types W & G				
			Concentric		Types W & G twisted									
	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance		
8.....	0.44	± 0.03	0.62	± 0.03	0.81	± 0.03	0.91	± 0.03	0.99	± 0.03	1.07	± 0.03	1.15	± 0.03
6.....	0.51	± 0.03	0.70	± 0.03	0.93	± 0.03	1.01	± 0.03	1.10	± 0.03	1.21	± 0.03	1.31	± 0.03
4.....	0.57	± 0.03	0.78	± 0.03	1.01	± 0.03	1.10	± 0.03	1.19	± 0.03	1.29	± 0.03	1.39	± 0.03
3.....	0.63	± 0.03	0.84	± 0.03	1.07	± 0.03	1.17	± 0.03	1.27	± 0.03	1.40	± 0.03	1.53	± 0.03
2.....	0.66	± 0.03	0.94	± 0.03	1.27	± 0.03	1.34	± 0.03	1.43	± 0.03	1.61	± 0.03	1.75	± 0.03
1.....	0.74	± 0.03	1.05	± 0.03	1.44	± 0.03	1.51	± 0.03	1.63	± 0.03	1.83	± 0.03	2.05	± 0.03
1/0.....	0.77	± 0.04	1.10	± 0.04	1.53	± 0.04	1.62	± 0.04	1.73	± 0.04	1.96	± 0.04	2.23	± 0.04
2/0.....	0.90	± 0.04	1.18	± 0.04	1.63	± 0.04	1.73	± 0.04	1.83	± 0.04	2.13	± 0.04	2.38	± 0.04
3/0.....	0.97	± 0.03	1.24	± 0.03	1.77	± 0.03	1.87	± 0.03	2.07	± 0.03	2.26	± 0.03	2.45	± 0.03
4/0.....	0.93	± 0.03	1.33	± 0.03	1.92	± 0.03	2.04	± 0.03	2.25	± 0.03	2.45	± 0.03	2.71	± 0.03

Conductor size (circular mils)	Nominal diameters, types G and W		Tolerance
	3-conductor	4-conductor	
	Inches	Inches	Inches
250,000.....	2.39	2.66	±0.06
300,000.....	2.56	2.84	±0.06
350,000.....	2.63	2.93	±0.06
400,000.....	2.82	3.14	±0.06
450,000.....	2.94	3.25	±0.06
500,000.....	3.63	3.40	±0.06

SPECIAL REMOTE CONTROL AND DRILL CABLES

Conductor size (AWG)	2-conductor		3-conductor		4-conductor		5-conductor		6-conductor		7-conductor	
	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance	Diameter	Tolerance
14.....	0.64	± 0.02	0.67	± 0.02	0.71	± 0.02	0.73	± 0.03	0.83	± 0.03	0.89	± 0.03
12.....	0.68	± 0.02	0.72	± 0.03	0.76	± 0.03	0.83	± 0.03	0.89	± 0.03	0.98	± 0.03
10.....	0.73	± 0.03	0.83	± 0.03	0.84	± 0.03	0.90	± 0.03	1.00	± 0.03	1.07	± 0.03

TABLE 2—NOMINAL DIMENSIONS (INCHES) OF FLAT TWIST (2-CONDUCTOR) CABLES WITH TOLERANCES IN INCHES

Conductor size (AWG)	Type W				Type G			
	Major		Minor		Major		Minor	
	O. D.	Tolerance	O. D.	Tolerance	O. D.	Tolerance	O. D.	Tolerance
8.....	0.84	± 0.04	0.51	± 0.03	1.02	± 0.04	0.56	± 0.03
6.....	0.93	± 0.04	0.56	± 0.03	1.15	± 0.04	0.61	± 0.03
4.....	1.05	± 0.04	0.61	± 0.03	1.29	± 0.04	0.63	± 0.03
3.....	1.14	± 0.04	0.68	± 0.03	1.35	± 0.04	0.73	± 0.03
2.....	1.24	± 0.04	0.73	± 0.03	1.53	± 0.04	0.81	± 0.03
1.....	1.40	± 0.04	0.84	± 0.03	1.67	± 0.04	0.93	± 0.03
1/0.....	1.51	± 0.04	0.93	± 0.03	1.83	± 0.04	0.99	± 0.03
2/0.....	1.63	± 0.04	1.03	± 0.03	2.09	± 0.04	1.03	± 0.03
3/0.....	1.77	± 0.04	1.10	± 0.03	2.10	± 0.04	1.10	± 0.03
4/0.....	1.89	± 0.04						

(e) Corners shall be well-rounded at all points where cables and wires emerge from bushings, glands, and stuffing boxes to prevent cutting of insulation. Stuffing boxes, if not made integral with enclosures, shall be securely held to enclosures on which they are used.

(f) Stuffing boxes and the fittings connected to them shall be so placed or guarded that they are not likely to be damaged in derailments and other accidents.

(ii) If insulated studs are used, they shall be designed and spaced to minimize the possibility of electrical creepage to parts of opposite polarity or to the casing. Terminal lugs shall be keyed to their studs or shielded by insulating barriers so that they cannot come into con-

tact with each other or with any metal not of the same potential or polarity. Adequate means shall be provided to prevent loosening of the studs and lugs by vibration or by expansion and contraction. External electrical connections shall not be held by the same means that are used to fasten the studs. Special attention shall be given to the shielding of external stud connections so that they cannot be short-circuited or grounded by accidental or careless contact or by water when the machine is properly assembled. The width of contact between the compartment wall and the insulating materials shall be not less than 1 inch total for volumes of 60 cubic inches or over $\frac{3}{4}$ inch for volumes less than 60 cubic inches.

(iii) If wires and cables are taken through openings closed with sealing compounds, the design of the opening and characteristics of the compounds shall be such as to hold the sealing material in place without tendency of the material to crack or flow out of its place. The material also must withstand explosion tests without cracking or loosening.

(iv) Tubes, bushings, or their equivalent shall not be used alone to take wires and cables through walls and partitions of explosion-proof enclosures unless both ends of each wire and cable opening are wholly within such enclosures. The length of each opening and the clearance around the wire or wires in it should be such as to prevent pressure-piling if flame passes through it. (In general, a diametrical clearance of $\frac{1}{16}$ inch should not be exceeded for single cables in such openings.) Bushings and tubes shall be secured against loosening and preferably should be of incombustible material.

(v) Leads or conductors between separate compartments may be carried in pipes or in passageways in casings if sufficiently sealed or filled with conductors to prevent propagation of flames.

(8) *Special devices for pressure relief, drainage, or ventilation.* Special devices incorporated in the design of explosion-proof casings for the purpose of (i) preventing the development of high pressures from internal explosion, (ii) providing for drainage of oil or water, or (iii) obtaining a degree of ventilation, shall be capable of repeatedly performing their functions without allowing the passage of flame through them. While in place they shall be guarded to prevent mechanical injury and the entrance of foreign material that might interfere with or destroy their proper functioning. They shall also be strong mechanically so that with reasonable care in handling, they may be cleaned and inspected without impairing their effectiveness. All special devices shall be securely fastened in place. All flame resisting parts shall be made of non-rusting materials.

(b) *Special requirements for Class 1 parts—(1) Temperature limitations.* Accessories, such as rheostats, headlights, and clutches, shall be so designed and proportioned that the temperatures of the external surfaces of their enclosures does not exceed 200° C. at any point during normal operation.

(2) *Motors.* The construction of motor bearings shall be such as to prevent the escape of flame during explosion tests with outer bearing caps removed, unless the caps are essential to hold the bearing in place. If the outer caps are essential, their construction shall comply with that required for Class 1 parts. The use of glass-covered peepholes for motors is not recommended.

(3) *Rheostats.* Particular attention shall be given to the choice of insulation for conductors used both inside and outside of rheostats and to the type of lead entrance to prevent grounds and short circuits that might result from deterioration due to heat.

(4) *Meters.* The transparent material in meter enclosures shall not be less than $\frac{1}{2}$ inch thick, have suitable qualities,

and shall be shielded by position or have a guard to prevent damage to it. Meters on storage-battery operated equipment shall be insulated from the explosion-proof casings in which they are enclosed.

(5) *Headlights.* Headlights shall be mounted in protected positions where they are not likely to be damaged by passing objects. The glass in headlights shall not be less than $\frac{1}{2}$ inch thick and shall be guarded to prevent damage to it.

(6) *Push buttons and push-button stations.* (i) Push rods passing through walls of explosion-proof casings shall not be less than $\frac{1}{4}$ inch in diameter. They shall have a shoulder, head, or equivalent at the inside to prevent accidental loss or removal from the outside. Snap rings, cotter pins, or parts held by them are not acceptable as means of preventing this loss or removal.

(ii) The diametrical clearance between the push rod and its hole shall not exceed 0.01 inch to provide for sliding fit, and this sliding fit shall not be less than 1 inch for enclosures having more than 60 cubic inches volume, or less than $\frac{3}{4}$ inch long for an enclosure having an internal volume of 60 cubic inches or less. In either case, the required length of sliding fit shall not be decreased when the button is depressed.

(iii) When it is important that accidental operation of push buttons be prevented, the Bureau reserves the right to require suitable guards or shields for the protection of the external ends of push buttons.

(7) *Junction boxes.* (i) Junction boxes shall be provided with a connection plug or plugs as follows: (a) Arranged and interlocked to prevent connection or disconnection of a portable cable while the contacts in the plug receptacles are alive or (b) capable of opening and closing the circuit under load, if necessary, without injury to themselves or to any part of the box, hazard to persons, or danger of causing an ignition of methane or coal dust. If the design does not prevent making contacts in a plug socket alive when the plug is out, the contacts shall be arranged to prevent ready access to them. When single-pole plugs are used, the design shall prevent energizing the circuit unless all the plugs are in place.

(ii) Circuit breakers or other automatic circuit-interrupting devices of adequate capacity shall be incorporated in the design of junction boxes. Such devices shall comply with the requirements for renewal, resetting, and functioning as specified in § 18.14.

(iii) Junction boxes shall be provided with a suitable clamp or clamps that will prevent strains being imposed upon the cable connections in the plug or plugs.

(iv) The rating and service for which it is intended shall be marked plainly upon each junction box.

(v) The type of enclosure required for junction boxes shall be governed by the class of parts to which it belongs.

(8) *Distribution boxes.* (i) Distribution boxes, when mounted on skids or their equivalent to facilitate movement from place to place, shall be sufficiently elevated and shall be stable.

(ii) The requirements for junction boxes shall also apply to distribution boxes having plugs for connection of branch circuits. In addition, the following requirements must be met:

(iii) Boxes having provision for more than one branch circuit shall have a cap or dummy plug locked in place to close each socket or receptacle if interlocking features do not prevent energizing of contacts in the socket with the regular plug removed. A chain or other suitable means shall be provided to prevent loss of the cap or plug. Such caps or dummy plugs may be omitted if the sockets are arranged to prevent ready access to the contacts within.

(iv) Each branch circuit shall be plainly and permanently marked to show the maximum current that can be taken from it, and plugs that are not of identical rating shall be polarized or otherwise arranged to prevent inserting them in the wrong socket.

(v) In addition to circuit contacts, each plug and socket shall contain contacts by means of which the frames of machines served by the distribution box can be grounded to the box. The plug and socket design shall be such that the grounding connection is completed before the circuit contacts are energized, or else the length of the grounding contacts shall be such that the grounding connection is made before the other connections are made and broken after the other connections are broken. (See also § 18.18.)

(vi) For distribution boxes not using plugs for connection of branch circuits, the requirements for junction boxes shall apply, except as follows:

(a) Connection for branch circuits may be made by means of bolted or equivalent connections, provided the connections are adequately insulated and securely held.

(b) The enclosure for the branch connections shall have a cover interlocked with the circuit-opening device to prevent access to the branch connections while they are alive.

(c) Each branch circuit shall be plainly marked to show the maximum current that can be taken from it.

(d) Insulated clamps shall be provided for each cable to prevent strains on the connections.

(9) *Splice boxes.* Splice boxes shall have explosion-proof enclosures with locked or sealed covers. Internal connections shall be rigidly held and adequately insulated.

(10) *Terminal boxes.* (i) When wires and cables are brought out of an explosion-proof casing into a terminal box by any method other than one of the first three methods described in paragraph (a) (7) of this section, the terminal box must be of explosion-proof construction. For this construction, the wires must be closely fitted in the opening between the casing and the terminal box in a manner adequate to inhibit flame propagation resulting in pressure-piling, or else the opening between them must be large enough to prevent pressure-piling. A short piece of metal tube or rigid conduit permanently secured to both may be used between the casing and terminal box when necessary.

(ii) The terminal box also must comply with all the requirements for Class 1 compartments, and the lead entrance for the external connections shall comply with the requirements for one of the first three methods described in paragraph (a) (7) of this section. Flame-path joints having a minimum width of $\frac{1}{2}$ inch will be accepted as an option in the construction of an explosion-proof terminal or conduit box on squirrel-cage induction motors provided the leads are adequately sealed in the motor and the connections in the box are adequately insulated and securely held.

(11) *Longwall mining machines.* (i) Longwall mining machines should be equipped with a switch to open all power conductors; also with circuit breakers or other automatic circuit-interrupting devices at the machine. When it is not feasible to incorporate such switch and current-interrupting devices in the design of the machine, the controller on the machine shall be capable of opening all power conductors entering it; in addition, a junction box or a distribution box containing a suitable switch and circuit-interrupting device shall be used for connecting the machine to the power circuit.

(ii) In the above arrangement, the machine frame shall be connected to the enclosure for the automatic circuit-interrupting device by a separate conductor in the portable cable.

(iii) The use of cable reels with longwall mining machines is not required.

§ 18.25 *Special requirements for class 2 parts—(a) Battery boxes and batteries.*

(1) Battery boxes shall be made of material equivalent in strength to sheet steel not less than $\frac{3}{16}$ inch in thickness or of wood reinforced with steel and shall have a substantial cover or covers lined with insulation of adequate strength, quality, and dimensions. The cover or covers shall be provided with suitable means for locking them in the closed position to prevent opening by unauthorized persons.

(2) Battery boxes shall be provided with means of ample ventilation to prevent accumulation of explosive hydrogen-air mixtures above the battery. Ventilating openings shall be guarded to prevent access to the cell terminals from the outside.

(3) The battery cells shall be insulated from the battery box in an adequate manner. For cells in metal containers mounted in "open"-type trays, a lining of wood or equally suitable insulation shall be provided for the bottom of the battery box. All wood and other insulating linings shall be treated or painted with suitable material to resist destruction by battery electrolyte.

(4) The number, type, rating, and manufacturer of the cells comprising the battery shall be specified.

(5) A diagram showing the connections between cells and between trays shall be submitted. The connections shall be such that the maximum total battery potential will not be placed between any two adjacent cells.

(b) *Plugs and receptacles.* (1) The "running" plug for locomotives and similar storage-battery-operated equipment

shall be interlocked with a switch so that the plug can neither be inserted nor withdrawn while the receptacle contacts are alive, or it shall be locked in its receptacle to prevent removal by unauthorized persons. If not interlocked, the plug shall be held in place by means of a threaded ring or other suitable mechanical fastening in addition to the lock.

(2) On locomotives and other mobile storage-battery-operated equipment, receptacles used for charging purposes only shall be provided with a cover or dummy plug that is to be locked in place when the battery is not being charged to prevent access to live terminals while the equipment is in operation.

(3) A plug that is used for connecting the portable cable of one permissible machine to a circuit on another permissible machine shall be interlocked so that the plug can neither be inserted nor withdrawn while the plug or receptacle contacts are alive. If the interlock does not prevent making the receptacle contacts alive when a plug is out, the contacts shall be protected by a cap or cover to be locked in place when the plug is out, or the contacts shall be arranged to prevent ready access to them. A chain or its equivalent shall be provided to prevent loss of the cover. The circuit served by the plug shall be protected by automatic circuit-interrupting devices as specified in § 18.14.

(4) When the portable cable for a machine is arranged to be connected and disconnected from it by means of a plug, the plug shall be interlocked or constructed so that it can be inserted and withdrawn without creating the hazard of igniting gas or dust. In addition, the plug shall be kept locked in its receptacle to prevent removal by unauthorized persons. The contacts in the plug shall be adequately shielded or recessed in it to prevent accidental grounds or short circuits while the plug is out of its receptacle.

(5) When single-pole plugs are used for the individual conductors of a cable or circuit, the design shall prevent energizing the circuit unless all the plugs of the circuits are in place.

(6) Every plug shall have a suitable holding device or clamp to prevent any strains coming on the plug while it is in its receptacle, unless the interlock is of adequate strength to hold the plug securely in place. In either case, the design of the plug shall include an insulated clamp for holding the cable to prevent strains on the connections in the plug.

§ 18.26 *Detailed inspection.* (a) In the investigation of any equipment, explosion-proof casings shall be given a careful inspection by the Bureau's engineers. This inspection shall include the following items:

(1) A detailed check of parts against drawings as to, materials, dimensions, and position, making notations for necessary correction of discrepancies between the drawings and the parts checked.

(2) Measurement of joints, bearings, and other possible flame paths.

(3) Examination for unnecessary through holes.

(4) Examination for adequacy of lead-entrance design and construction.

(5) Examination for adequacy of electrical clearances or insulation between live parts of opposite polarity and between live parts and ground.

(6) Examination for adequacy and security of fastenings.

(b) For further information regarding the details of this inspection, reference should be made to Information Circular 7689, Inspection and Testing of Mine-Type Electrical Equipment for Permissibility.

§ 18.27 *Explosion tests.* (a) To test enclosures for their ability to retain flame, they will be filled and surrounded with explosive mixtures containing varying percentages of Pittsburgh natural gas¹ and air. The mixture within the enclosures will be ignited by a spark-plug or other suitable means, and a record of explosion pressures developed will be taken. The point of ignition will be varied to determine the condition that gives the greatest pressure. For some of the tests, bituminous-coal dust will be introduced into enclosures, and the effects will be noted. Motor armatures and rotors will be stationary in some tests and revolving in others. Dummies may be used in place of contactors or similar parts during test under certain conditions.

(b) Not less than 10 tests will be made of each design of explosion-proof enclosure.² If, on account of the size of enclosure or questionable construction features, it is the judgment of the Bureau's engineers that the explosion-proof qualities cannot be completely demonstrated in 10 tests, more than that number will be made.

(c) The explosion tests of an enclosure shall not result in (1) discharge of flame from any joint, bearing, or opening, (2) ignition of surrounding explosive mixtures, (3) development of dangerous after-burning,³ or (4) rupture or permanent distortion of the enclosure. An enclosure will be rejected if any one of the foregoing conditions occurs, or if abnormal pressures are developed or potentially hazardous conditions are exhibited by the tests.

§ 18.28 *Adequacy tests.* In addition to explosion tests, certain other tests may be made at the option of the Bureau's

¹ Investigation has shown that, for practical purposes, Pittsburgh natural gas (containing a high percentage of methane) is a satisfactory substitute for pure methane in these tests.

² If the internal air space of a squirrel-cage induction motor is not changed by more than 20 percent of that of a previously tested motor, it may be accepted without further inspection or explosion test, provided the motor of greater (or less) internal volume has the same frame diameter and the same length and clearance at the flame path of all joints and bearings as those of the previously tested motor.

³ The term "afterburning" as used in this part 18 is applied to combustion, immediately after an internal explosion, of a gaseous mixture that was not in the enclosure at the time of that explosion but was drawn in as the result of the cooling of the products of the original explosion or otherwise.

engineers, such as tests to determine the adequacy of an accessory for the service intended:

(a) Where the durability of battery cells, headlights, or other parts is in doubt, such mechanical tests as are deemed necessary may be made to determine points requiring strengthening.

(b) If there is any question on the efficacy of ventilation of battery boxes, tests may be made to check the ventilation.

(c) Switches and devices serving as switches shall be capable of interrupting any overload currents that the automatic circuit protective devices will permit to flow. They also shall be capable of opening these overloads five times at 2-minute intervals without grounding or short circuiting, and tests may be made to determine their ability to meet these requirements.

(d) Circuit breakers or other automatic circuit-interrupting devices may be tested to determine whether they provide the necessary protection without damaging the explosion-proof qualities of their enclosures.

§ 18.29 *Portable cable damage resistance test.* (a) The test in paragraph (b) of this section has been established

for determining the durability of portable cables for use with permissible equipment, and cables that pass this test will be listed for this service.

(b) The cable will be placed across the two rails of a track and a four-wheeled car of 7 tons gross weight will be run over it 50 times. The speed of the car shall be approximately $3\frac{1}{2}$ miles per hour, and potential shall be applied to the cable during tests. The cable will be shifted after each passage of the car, thus giving 100 places in the cable over which two wheels have passed. If the cable fails by short-circuiting or grounding to the rails or wheels at 11 or more places, it will not be listed by the Bureau.

§ 18.30 *Portable cable flame resistance test.* The following test has been established for determining the flame-resistant properties of portable cables:

(a) A straight sample of the cable 3 feet long shall be mounted horizontally in a ventilated test chamber so that the sample will not be in the direct path of entering air currents. The sample shall be heated electrically until the conductor temperature is 400° F., using a current that is 500 percent of the conductor ratings given in Table 3.

TABLE 3—NORMAL CURRENT RATING—AMPERES PER CONDUCTOR

Cables, conductor size	Single conductor	2-conductor			3-conductor	4-conductor	5-conductor	6-conductor
		Flat	Concentric	Round				
8.....	45	40	50	40	35	30	25	20
6.....	60	50	65	50	40	35	30	25
4.....	85	70	90	70	65	55	45	35
3.....	95	80	100	80	75	65	55	45
2.....	110	95	120	95	90	75	65	55
1.....	130	110	140	110	100	85	75	65
1/0.....	150	130	160	130	120	100	90	80
2/0.....	175	150	185	150	135	115	105	95
3/0.....	205	175	210	175	155	130	120	110
4/0.....	235	200	240	200	180	150	140	130

Cables, conductor size (circular mils)	Single conductor	2-conductor			3-conductor	4-conductor	5-conductor	6-conductor
		Flat	Concentric	Round				
250,000.....	275	220	280	220	200	160	140	120
300,000.....	305	240	310	240	220	175	150	130
350,000.....	345	260	340	260	235	190	160	140
400,000.....	375	280	370	280	250	200	170	150
450,000.....	400	300	400	300	270	215	180	160
500,000.....	425	320	430	320	290	230	190	170

Cords		1-3 conductor	4-6 conductor	7-9 conductor
No. 14.....		15	12	8
No. 12.....		20	16	11
No. 10.....		25	20	14

(b) When the conductor temperature has reached 400° F., the flame of a Tirrill gas burner adjusted to give an overall free flame height of 5 inches and a 3-inch inner cone shall be applied directly underneath the sample at a point 14 inches from its extreme left-hand end so that the tip of the inner cone touches the bottom surface of the sample.

(c) At the end of 1 minute, the heating current and gas flame will be cut off simultaneously. The sample will be considered as having failed to pass the test if the length of the burned area exceeds 6 inches or if burning continues longer than 4 minutes after the gas flame has been cut off.

(d) For a complete official test, at least 3 samples of a given cable will be subjected to the foregoing test. If 2 out of the 3 samples pass this test, the cable will be accepted for listing as "flame resistant" and shall be suitably marked at intervals not exceeding 12 feet with an identifying number assigned by the Bureau of Mines.

§ 18.31 *Certification of electrical components.* Manufacturers of electrical components that are designed for use on permissible machines may request the Bureau of Mines to issue a letter certifying to the suitability of components for such use. In order to

qualify for certification, electrical components shall have satisfactorily met the prescribed inspection and test requirements and the construction thereof shall be adequately covered by specifications officially recorded and filed at the Bureau. Certification letters may be cited to builders and assemblers of permissible equipment as evidence that further inspection and test of the components will not be required, provided they are constructed in strict accordance with specifications on file at the Bureau. Since the Bureau of Mines does not sanction the words "permissible" or "approved" except as applying to complete assembled equipment, no person shall advertise or label components in a manner purporting to indicate that such components are permissible or approved by the Bureau. However, certified components may be advertised as explosion-proof and suitable for use on permissible equipment upon receipt of certification letters from the Bureau. Certified components shall bear labels or plates, which shall contain the following: "Explosion-proof Mine ---- Built to Bureau of Mines Schedule ----, Bureau of Mines File No. X/P- ----. Provided, however, That this requirement shall be applicable only to components that are manufactured for sale as separate components." The Bureau will assign an identifying X/P file number in the certification letter. The Bureau reserves the right to rescind for cause, at any time, any certification granted under this section.

§ 18.32 *Final inspection.* (a) In addition to the detailed inspections and the tests, the Bureau reserves the right to inspect the machine as a whole at the close of the investigation to ascertain whether the assembly of motors, controllers, rheostats, and other parts in relation to each other has any unsafe features, special note being made of the position and guarding of wiring between these parts. The drawings and specifications also will be checked to see that they have been corrected to show all changes made in parts during the course of the investigation.

(b) Manufacturers shall notify the Bureau, at the Central Experiment Station, when the first of a given design of machine built for approval will be completed in order that a Bureau engineer may have an opportunity to examine it, when such examination is considered necessary. Examinations are preferably made at the factory, where cranes and other facilities make it possible to inspect a machine more thoroughly and quickly than elsewhere. Final inspections are made before approvals are granted.

§ 18.33 *Inspection and test reports.* Written reports giving the results of inspections and tests will be made to the manufacturer to keep him informed of the progress of the investigation of his equipment. These reports also will indicate whether or not any changes are

* This blank space will be filled in with a word designating the type of component, such as motor, starter, or headlight as the case may be.

required. They are not to be construed as giving approval to the equipment under consideration, or to any of its parts.

§ 18.34 *Approvals*—(a) *Approval letter*. (1) After all tests, as well as detailed and final inspections, have been satisfactorily completed and suitable drawings and specifications have been placed on file, the manufacturer of the completed equipment will be given official notification by letter from the Bureau of Mines, stating that his equipment satisfied the conditions of this part and is approved as permissible for use in gassy and dusty mines. The letter will assign an approval number for reference and identification of the equipment approved. No informal, temporary, or verbal approvals will be granted.

(2) An official drawing list numbered to correspond to the approval number assigned will accompany each approval letter. This list will include the drawings and specifications covering the details of construction upon which the approval is based.

(3) The manufacturer shall not advertise his equipment as permissible or approved until he has received the formal notification of approval.

(b) *Approval plate*. (1) With the approval letter the manufacturer will receive a photograph of a design of approval plate. This plate shall bear the seal of the Bureau of Mines, United States Department of the Interior, a space for the approval number, the type, the serial number, and the name of the class of equipment to which the equipment belongs, and the name of the manufacturer. When necessary, an appropriate statement giving the precautions to be observed in maintaining the equipment in an approved condition shall be added.

(2) Copies of a "caution statement" satisfactory to the Bureau are to be furnished with each machine in a form that will readily draw the attention of the proper persons. This information should be placed in the repair parts book, the instruction envelope, the wiring diagram, or in other material which electricians and maintenance men refer to frequently.

(3) The manufacturer himself shall have this design reproduced either as a separate plate or by stamping or molding it in some suitable place on each permissible machine. The size, method of attaching, and location of the approval plate shall be satisfactory to the Bureau, and a sample of the plate adopted shall be sent to the Bureau at the Central Experiment Station. The method of attaching the plate shall not impair the explosion-proof features of any enclosure.

(c) *Purpose and significance of approval plate*. (1) The approval plate is a label which identifies the equipment so that anyone can tell at a glance whether or not that equipment is of permissible type. This plate is the manufacturer's guarantee that his equipment complies with the requirements of the Bureau of Mines for use in gassy and dusty mines. Without a plate, an approved machine loses its permissible status.

(2) The use of the approval plate on his equipment obligates the manufacturer to maintain the quality of his product and to see that each permissible machine is constructed according to the drawings and specifications accepted and recorded by the Bureau. Equipment having changes in design which do not have official authorization from the Bureau is not permissible and therefore must not bear an approval plate.

(d) *Withdrawal of approval*. The Bureau reserves the right to rescind for cause, at any time, any approval granted under the regulations in this part.

§ 18.35 *Changes in design after approval*. Every approval is granted with the understanding that all equipment built under that approval will be in exact accordance with drawings and specifications that have been examined and recorded by the Bureau in the approval. Therefore, when a manufacturer desires to make any change in the design of his approved equipment, he shall first obtain the Bureau's authorization of the change. The procedure is as follows:

(a) The manufacturer shall make application by letter for an extension of his original approval and shall describe the change or changes proposed. This application in duplicate, accompanied by a check, bank draft, or money order, payable to the Bureau of Mines, to cover all the necessary fees, shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, together with revised drawings and specifications showing the changed design in detail. The Bureau will, upon inquiry by the applicant, advise him as to the amount of fees he should submit.

(b) The Bureau will consider the application and examine the drawings, and specifications to determine whether they are sufficiently detailed for the Bureau's records and whether it will be necessary to have the modified part submitted for tests. (In general, changes increasing the air space more than 10 percent, modification of joints and bearings, or use of a different material for explosion-proof enclosures will make explosion tests of the modified enclosure necessary. Adequacy tests also may be necessary if changes such as reduction in electrical clearance and insulation are proposed.) If tests are deemed to be necessary, the applicant will be informed of the parts that will be required.

(c) When the modification has been found to comply with the requirements of the regulations in this part, both as to construction and drawings, formal authorization, known as an extension of approval, allowing the modification will be issued in the form of a letter by the Bureau of Mines. This letter will be accompanied by a list of new and corrected drawings to be added to the official drawing list.

(d) Revisions in drawings or specifications which do not involve actual change in the explosion-proof features of equipment may be handled informally by the Central Experiment Station at Pittsburgh.

§ 18.36 *Acceptance of changes made in the field on permissible equipment*.

Changes made on permissible equipment by mine operators may be accepted in writing by the Bureau: *Provided*, Such changes conform to the applicable requirements of §§ 18.3 to 18.35: *And, provided further*, That in the judgment of a duly qualified representative of the Bureau of Mines, such changes do not increase the explosion or fire hazards involved in the operation of equipment so modified in gassy or dusty mines. A report on the modifications together with a copy of the acceptance letter shall be placed in the Bureau's official record for the permissible equipment affected.

§ 18.37 *Rebuilding or repairing of equipment*. Any person or company, other than the original manufacturer of permissible equipment, desiring to rebuild or repair either nonpermissible-type equipment to become permissible equipment, or permissible-type equipment needing rebuilding or repair, and to secure approval thereof, may do so only if (a) the Bureau determines that such person or company has adequate facilities and personnel to engage in such operations, and (b) such person or company (1) has changed or restored the equipment to meet the permissibility requirements of this part as determined by the Bureau after inspection by a qualified representative of the Bureau, and (2) has received an approval letter from the Bureau. A person or company that complies with the provisions of this section may thereafter attach suitable approval plates to identical types of equipment.

SUBPART B—EXPERIMENTAL ELECTRIC FACE EQUIPMENT IN GASSY MINES

§ 18.50 *General*. This subpart is prescribed pursuant to and must be complied with in accordance with the requirements of the Federal Coal Mine Safety Act.

§ 18.51 *Permit*. As used in this subpart, a permit is a special, written certificate of authorization giving conditions under which a machine built or purchased for experimental purposes may be operated in a gassy mine. This permit will be issued only by the Director, Bureau of Mines.

§ 18.52 *Application for permit*. Before a permit can be issued, the purchaser or prospective user shall file a written application with the Director, Bureau of Mines, Washington 25, D. C., which application shall be accompanied by a check, money order, or bank draft payable to the United States Bureau of Mines to cover all the necessary fees. A copy of the application shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, together with drawings or other satisfactory identification of the machine which it is proposed to be given trial.

§ 18.53 *Fees charged*. The schedule of fees under this subpart shall be the same as those set forth in § 18.3.

§ 18.54 *Drawings and specifications required*. Drawings, descriptive material, specifications, or other suitable information establishing positive identifi-

cation of the electrical components of an experimental machine shall be furnished to the Bureau before a permit covering trial installation will be issued. (An experimental machine is one intended for experimental use, including among other, one constructed at the mine, one imported from foreign manufacturers, or one developed for trial by an American manufacturer or inventor, etc.) Drawings already on file at the Bureau need not be duplicated by the applicant. Detailed drawings of parts comprising explosion-proof enclosures of imported electrical components will not be required, provided satisfactory proof is given that such enclosures comply with standards established by a testing authority recognized by the Bureau of Mines, to the extent that such standards are substantially equivalent to those set out in Subpart A of this part.

§ 18.55 *Constructional requirements.* (a) Electrical components whose classification calls for explosion-proof constructions shall meet the inspection and test requirements for such components set forth in Subpart A of this part.

(b) Components which have previously met the inspection and test requirements of the Bureau or of a testing authority recognized by the Bureau shall be deemed to meet the requirements of paragraph (a) of this section. The Bureau may in its discretion, waive the requirements of paragraph (a) as to any other component.

§ 18.56 *Final inspection.* The applicant shall notify the Central Experiment Station, when an experimental machine is ready for trial installation so that a Bureau engineer may have an opportunity to examine it. Such examination shall be completed before a permit is issued.

§ 18.57 *Issuance of permit.* Upon compliance with the requirements of this subpart, the Director will issue a permit authorizing operation in a gassy mine of the machine covered by the application. Copies of the permit will be sent to the applicant, to the purchaser or user, and to the machine manufacturer or his agent or supplier. Each permit will be numbered and state the terms under which, and the time during which, the machine may be used. The permit granted under this subpart shall indicate that the equipment covered thereby is for the duration of the permit, permissible within the meaning of sections 201 (a) (9) and 212 (a) of the Federal Coal Mine Safety Act.

§ 18.58 *Duration of permit.* The permit will be effective for a period of 6 months. Extension of the permit for an additional period not to exceed 6 months may be granted by letter from the Director upon application addressed to him and supported by a showing of satisfactory reason. Further extension will be granted only where, after investigation, the Director finds that, for reasons beyond the control of the mine operator, it has not been possible to complete the experiments within the period covered by the extended permit.

§ 18.59 *Permit label.* (a) With the permit letter, the applicant will receive a permit label which shall bear: (1) The seal of the Bureau of Mines, United States Department of the Interior, (2) the permit number, (3) the expiration date of the permit, and (4) the name of the applicant.

(b) The applicant shall have this label attached to the experimental equipment.

§ 18.60 *Withdrawal of permit.* The Director, Bureau of Mines, may rescind for cause, at any time, any permit granted under this subpart.

[F. R. Doc. 55-6434; Filed, Aug. 8, 1955; 8:47 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

DISPOSAL OF MATERIALS

Part 251 is hereby amended by the addition of § 251.4 to read as follows:

§ 251.4 *Disposal of materials—(a) Authority.* (1) Pursuant to the act of July 31, 1947 (61 Stat. 681, 43 U. S. C. 1185-1188) as amended by the act of August 31, 1950 (64 Stat. 571) and the act of July 23, 1955 (Public Law No. 167, 84th Cong.) the Chief of the Forest Service or, upon his authorization, the regional forester, forest supervisor, or forest ranger, may dispose of common varieties of sand, stone, gravel, pumice, pumicite, and cinders on lands under his jurisdiction or custody, and may dispose of other mineral materials, including clay, from such lands where the mineral materials are not of such quality and quantity as to be subject to disposal under the United States mining laws. All such disposals shall be in such form, and contain such terms, stipulations, conditions and agreements as may be required by the regulations of the Secretary of Agriculture and instructions of the Chief, Forest Service.

(2) Disposals under this authority may be made only from lands set apart or reserved from the public lands (i) for national forest purposes, (ii) for the purposes of Title III of the Bankhead-Jones Farm Tenant Act, or (iii) for use in connection with any other activity, purpose, or function administered or carried out by or under the authority of the Chief, Forest Service, or from national forest lands received in exchange for national forest lands set apart and reserved from the public lands or timber thereon.

(3) Disposals under this authority may not be made on lands withdrawn in aid of a function of a Federal department or agency other than the Department of Agriculture or of a State, Territory, county, municipality, water district or other local governmental subdivision or agency, without the consent of such other Federal department or agency or of such State, Territory, or local governmental unit.

(4) Disposals under this authority may be made only if the disposal of such material is (i) not otherwise expressly authorized by law, (ii) not expressly prohibited by laws of the United States, and (iii) not detrimental to the public interest.

(b) *Method of disposal.* (1) All materials to be disposed of under this authority except as provided in subparagraph (4) of this paragraph, shall be appraised in such manner as determined by the Chief, Forest Service, and shall be disposed of at not less than the appraised value.

(2) Where the appraised value of the material exceeds \$1,000, it shall be disposed of to the highest responsible qualified bidder by competitive bidding after publication of notice of the proposed disposal once each week for a period of four consecutive weeks in a newspaper having general circulation in the county in which the material is located, subject to the following provisions:

(i) Such disposals may be by sealed bid or oral auction in the discretion of the authorized disposal officer.

(ii) The authorized officer, in his discretion, may reject any or all bids in the interest of the Government.

(iii) An award will be made to the highest responsible qualified bidder, except as provided in subdivision (ii) of this subparagraph. If the highest bidder fails to qualify or make the required payments within the time allowed, award may be made to the next highest qualified bidder in the discretion of the authorized officer or the material may be disposed of by readvertising.

(3) Where the appraised value of the material is \$1,000 or less, it may be disposed of:

(i) To a responsible qualified applicant by Special Use Permit in accordance with and subject to the conditions of § 251.1 upon the payment of an adequate compensation: *Provided*, That not more than \$1,000 worth of materials may be sold uncompetitively to any one applicant in any one area in any period of twelve consecutive months, such period to begin the first of the month in which any sale is made, or

(ii) To the highest responsible qualified bidder at public auction or under sealed bids after such notice as may be deemed appropriate.

(4) Material may be disposed of hereunder to any Federal, State, or Territorial agency, unit or subdivision, including municipalities, or any association or corporation not organized for profit, without charge: *Provided*, That:

(i) The materials shall be for use for other than commercial or industrial purposes or resale;

(ii) Such users shall make such provision as may be required by the authorized officer to prevent pollution or erosion and to reseed, replant, rehabilitate, or restore the land to a productive capacity to the satisfaction of such officer.

(iii) Nothing in this section shall be construed to prevent a charge for such materials if the circumstances are such as to warrant a fee. Such fee may be the appraised value of the material or

such lesser amount as may be deemed just and reasonable in the circumstance; (Sec. 1, 30 Stat. 35, as amended, 62 Stat. 100; 16 U. S. C. 551. Interprets or applies sec. 1, 61 Stat. 681, as amended, Pub. Law 167, 84th Cong.; 43 U. S. C. 1185)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 4th day of August 1955.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-6426; Filed, Aug. 8, 1955;
8:46 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter I—Cargo and Miscellaneous Vessels [CGFR 55-32]

PART 97—OPERATIONS

SUBPART 97.15—TESTS, DRILLS, AND INSPECTIONS

HATCH CLOSING DEVICES

A notice regarding proposed changes in the navigation and vessel inspection rules and regulations was published in the *FEDERAL REGISTER* dated February 18, 1955 (20 F. R. 1055-1057) as Items I to IX, inclusive, on the Agenda to be considered by the Merchant Marine Council, and a public hearing was held on March 22, 1955, at Washington, D. C. This document is the sixth of a series of documents covering the rules and regulations considered at this public hearing.

All the comments, views, and data submitted in connection with the items considered by the Merchant Marine Council at this public hearing have been very helpful to the Coast Guard and are very much appreciated. The amendment in this document is based on Item IV in the Agenda.

The amendment to 46 CFR 95.15-20, regarding hatch closing devices for cargo

and miscellaneous vessels, specifically requires the use of closure devices and further defines the responsibility of the master. The purpose of this regulation is to require the effective use of hatch closing devices when cargo and miscellaneous vessels are navigating on waters other than those designated as rivers. The proposed amendment to 46 CFR 78.17-35, regarding hatch closing devices for passenger vessels, was withdrawn.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521) and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026) to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendment to § 97.15-20 is prescribed and shall become effective 90 days after the date of publication of this document in the *FEDERAL REGISTER*:

§ 97.15-20 *Hatches and other openings.* (a) (1) With the exception stated in subparagraph (2) of this paragraph, it shall be the responsibility of the master to assure himself that all exposed cargo hatches and other openings in the hull of his vessel are closed, made properly watertight by the use of tarpaulins, gaskets or similar devices, and in all respects properly secured for sea before leaving protected waters.

(2) A vessel engaged in a voyage exclusively on Great Lakes waters and having 6 feet or more of freeboard, measured vertically from the water's edge at the lowest point of sheer to the top of deck at the ship's side, may, at the master's discretion, omit tarpaulins on the ship's hatches from 16 May through 15 September (both dates inclusive). This exemption does not relieve the master of any responsibility for the securing and protection of his hatches during the interval of exemption and, in case of indications of bad weather or other threatening conditions, he shall not leave protected waters until the exposed cargo hatches and other openings in the hull of his ves-

sel are properly covered, secured and protected.

(b) The openings to which this section applies are as follows:

- (1) Exposed cargo hatches.
- (2) Gangway, cargo and coaling ports fitted below the freeboard deck.
- (3) Port lights that are not accessible during navigation including the dead lights for such port lights.

(c) Vessels which, by their design, do not require cargo hatch closing devices and to which § 45.01-20 of Subchapter E (Load Line Regulations) of this chapter applies need not comply with the requirements of this section as to exposed cargo hatches.

(d) The master at his discretion may permit hatches or other openings to remain uncovered or open, or to be uncovered or opened for reasonable purposes such as ship's maintenance while the vessel is being navigated: *Provided*, That in his opinion existing conditions warrant such action.

(e) In the event the master employs the discretionary provisions of this section after leaving port he shall cause appropriate entries to be made in the official log or equivalent thereof setting forth the time of uncovering, opening, closing or covering of the hatches or other openings to which this section applies and the circumstances warranting the action taken.

(f) The discretionary provisions of this section shall not relieve the master of his responsibility for the safety of his vessel, her crew or cargo.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4418, as amended, 4426, as amended, 4553, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3 (c), 68 Stat. 675; 46 U. S. C. 391, 392, 404, 435, 367, 526p; E. O. 10402, 17 F. R. 9317; 3 CFR 1952 Supp.)

Dated: August 2, 1955.

[SEAL] A. C. RICHMOND,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 55-6448; Filed, Aug. 8, 1955;
8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

I 26 CFR (1954) Part 194 I

LIQUOR DEALERS

PRESCRIBED RECORDS AND REPORTS, AND POSTING OF SIGNS

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing,

No. 154—3

in duplicate, to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the *FEDERAL REGISTER*. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U. S. C. 7805)

O. GORDON DELK,
Acting Commissioner of
Internal Revenue.

Part 194 of title 26 of the Code of Federal Regulations amended to provide for prescribed commercial records of receipt and disposition to be kept in lieu of Record 52, the reports to be rendered thereon, and the discontinuance of Form 52F.

After an extensive study of present requirements for recordkeeping and reporting of transactions in distilled spirits, wines, and beer, it has been determined that the interests of the Government may now be served by records and reports based solely on the physical movement of such spirits.

In order to provide for (a) elimination of the requirement for recording and reporting transactions in warehouse receipts covering distilled spirits in bond, (b) elimination of the requirement for recording and reporting third-party transactions, (c) discontinuance of Record 52, (d) keeping of commercial records of receipt of distilled spirits, wines, and beer, by wholesale liquor dealers, (e) keeping of commercial records of disposition of distilled spirits by wholesale

liquor dealers, (f) keeping of commercial records of receipt of beer by wholesale and retail beer dealers, and (g) authorization of assistant regional commissioners to waive the submission of reports on Forms 52A and 52B under certain conditions, 26 CFR (1954) Part 194 is hereby amended as follows:

Subpart M is amended to read as follows:

SUBPART M—PRESCRIBED RECORDS AND REPORTS, AND POSTING OF SIGNS

WHOLESALE DEALER'S RECORDS AND REPORTS

§ 194.210 *General requirements as to distilled spirits.* Except as provided elsewhere in this subpart, every wholesale dealer shall, daily, prepare commercial records of the physical receipt and disposition of distilled spirits by him, and shall, daily, prepare a recapitulation record showing the total wine gallons of distilled spirits received and disposed of during the day. Every wholesale dealer shall submit on Forms 52A and 52B daily or periodic reports, prepared from his commercial records, of the physical receipt and disposition of distilled spirits by him: *Provided*, That upon application, the assistant regional commissioner may relieve a dealer from the requirement of submitting such daily or periodic reports on Forms 52A and 52B until otherwise notified, when the assistant regional commissioner finds that such reporting is not necessary to law enforcement or protection of the revenue. Every wholesale dealer who offers bottled distilled spirits for sale shall submit a monthly report on Form 338, showing the total wine gallons of distilled spirits (a) on hand at the beginning of the month, (b) received during the month, (c) disposed of during the month, and (d) remaining on hand at the end of the month.

(68A Stat. 619, 681; 26 U. S. C. 5114, 5555)

§ 194.211 *General requirements as to wines and beer.* Every wholesale liquor dealer who receives wines, or wines and beer, and every wholesale beer dealer, shall keep at his place of business either a book record of all wines and beer received, or all invoices or bills covering such wines and beer, showing (a) the quantities thereof, (b) from whom received, and (c) the receiving dates.

(68A Stat. 681; 26 U. S. C. 5555)

§ 194.212 *Dealers selling distilled spirits in retail quantities only.* A dealer who sells wines or beer, or both, in wholesale quantities, and who sells distilled spirits in retail quantities only is not required to maintain the records or submit the reports prescribed in § 194.210, but is required either to keep a record in book form of all distilled spirits, wines and beer received, or to keep all invoices or bills therefor, as prescribed in §§ 194.211 and 194.229.

(68A Stat. 619, 681; 26 U. S. C. 5114, 5555)

§ 194.213 *Dealers not selling distilled spirits.* Wholesale liquor dealers who sell wines and beer only, and wholesale beer dealers are not required to maintain the records or submit the reports prescribed in § 194.210, but are required either to keep a record in book form of

all wines and beer received, or to keep all invoices or bills therefor, as prescribed in § 194.211.

(68A Stat. 619, 681; 26 U. S. C. 5114, 5555)

§ 194.214 *Records to be kept by States.* The provisions of this subpart relative to the maintenance of records and the submission of reports, shall not apply to States and political subdivisions thereof and liquor stores operated by such entities that maintain and make available for inspection by internal revenue officers such records as will enable such officers to verify receipts of wines and beer and to trace readily all distilled spirits received and disposed of by them: *Provided*, That such States and political subdivisions thereof, and the liquor stores operated by them, shall, on request of the assistant regional commissioner, furnish such transcripts, summaries, and copies of their records as he shall require.

(68A Stat. 619, 681; 26 U. S. C. 5114, 5555)

§ 194.215 *Proprietors.* The proprietor of an industrial alcohol plant or industrial alcohol bonded warehouse shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 182 of this chapter. The proprietor of a registered distillery shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 220 of this chapter. The proprietor of a fruit distillery shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 221 of this chapter. The proprietor of an internal revenue bonded warehouse shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 225 of this chapter. The proprietor of a taxpaid bottling house who (a) does not maintain wholesale liquor dealer premises, or (b) does maintain a wholesale liquor dealer room which is contiguous to the taxpaid bottling house and is used exclusively for products bottled at such taxpaid bottling house, shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 230 of this chapter. The proprietor of a rectifying plant who does not maintain wholesale liquor dealer premises, or does maintain wholesale liquor dealer premises which are contiguous to the rectifying plant and are used exclusively for products bottled at such rectifying plant, shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 235 of this chapter. An importer shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 251 of this chapter. Any person bringing distilled spirits into the United States from Puerto Rico or the Virgin Islands shall keep records and render reports in his capacity as a wholesale dealer in liquors in accordance with Part 250 of this chapter.

(68A Stat. 619, 637, 652; 26 U. S. C. 5114, 5197, 5282)

§ 194.216 *Records of receipt.* Every wholesale liquor dealer, upon the physi-

cal receipt of each individual lot or shipment of distilled spirits, shall prepare a commercial record of receipt which shall show (a) name and address of consignor, (b) date of receipt, (c) brand name, (d) name of producer or bottler, (e) kind, (f) quantity actually received (showing number of packages, if any, and number of cases by size of bottle, and explaining any shortage, breakage, leakage, or other difference from the quantity shown on the commercial papers covering the shipment), and (g) serial numbers of packages and cases, unless such serial numbers are available on the consignor's invoice or attachments thereto. Additional information desired by the wholesale dealer may also be shown. All information required to be shown on records of receipt shall be entered on such records by the close of the business day next succeeding that on which the spirits are received. Where the wholesale dealer so defers the preparation of such records, he shall keep memorandum records, prepared at the time the spirits are received, which shall show the data needed to prepare the prescribed records of receipt. Records of receipt may be prepared by entering each individual lot of distilled spirits either (1) on an individual loose-leaf "Record of Receipt", pre-printed as prescribed in § 194.219, (2) in chronological order on records prepared by tabulating or other mechanical office equipment, if such records are pre-printed as prescribed in § 194.219, or (3) in chronological order in a bound record book, provided all pages of such book are pre-numbered as prescribed in § 194.219. The dealer may elect to use any one of the above types of record, but may not change from one type to another without prior approval from the assistant regional commissioner. All entries, with the exception of those prescribed for returned merchandise, must be supported by the corresponding invoices of the consignor. Credit memorandums conforming to the requirements of § 194.210 may, if desired, be used in lieu of individual loose-leaf "Records of Receipt" to show the receipt of returned merchandise. Variations in the format, or in the methods of preparation, may be authorized as provided in § 194.220.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.217 *Records of disposition.* Every wholesale dealer shall prepare a commercial record covering the physical disposition of each individual lot of distilled spirits, which shall show (a) name and address of consignee, (b) date of disposition, (c) kind, (d) brand name, (e) number of packages, if any, and number of cases by size of bottle, and (f) serial numbers of the cases or packages, unless such serial numbers are shown on commercial papers attached thereto. Additional information desired by the dealer may also be shown. Records of disposition shall be prepared by entering each individual lot of distilled spirits either (1) on an individual loose-leaf "Record of Disposition" pre-printed as prescribed in § 194.219, (2) in chronological order on records prepared by tabulating or other mechanical office equipment, if such records are pre-printed as prescribed in

§ 194.219, or (3) in chronological order in a bound record book, provided all pages of such book are pre-numbered as prescribed in § 194.219. The completed order forms of the dealer, or exact copies of his invoices of sale, will be acceptable as "Records of Disposition" if such documents provide all of the required information, and are pre-printed as prescribed in § 194.219. The dealer may elect to use any one of the above types of record, but may not change from one type to another without prior approval from the assistant regional commissioner. Entries on records of disposition must be completed by the close of the business day next succeeding that on which the spirits are removed. Where the dealer so defers the preparation of such records he shall keep memorandum records, prepared at the time the spirits are sent out, or prior thereto, which shall show the data needed to prepare the prescribed records. Each record of disposition must be supported by a corresponding delivery receipt (which may be executed on a copy of the "Record of Disposition") fully describing the spirits and signed by the consignee or his agent, or by a copy of a bill of lading indicating delivery of the spirits to a common carrier. Documents supporting records of disposition shall have noted thereon the serial numbers of the corresponding "Records of Disposition" or the page numbers of the machine record or record book, as the case may be. Variations in the format or in the methods of preparation, may be authorized, as provided in § 194.220.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.218 *Cancelled or corrected records.* Entries in record books shall not be erased or obliterated, nor shall whole or partial pages be removed from such books. Correction or deletion of any entry in a record or report shall be accomplished by drawing a line through such entry, and making appropriate correction, explanation or reference on the same page or sheet. Where a loose-leaf "Record of Receipt" or "Record of Disposition" is voided for any reason, all copies thereof shall be marked "Cancelled" and be filed as prescribed in § 194.232; if a new record is prepared in lieu thereof, the serial number of the new record shall be noted on all copies of the cancelled record. Where items entered on a "Record of Disposition" are deleted for reasons such as the refusal of the merchandise by the consignee, or the inability of the wholesale dealer to supply such merchandise, appropriate explanations shall be made on all copies of the record.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.219 *Format of records of Receipt and disposition.* Each individual "Record of Receipt" and "Record of Disposition," each credit memorandum used for recording the receipt of returned distilled spirits, and each sheet or page used in tabulating or other mechanical office equipment for recording the receipt or disposition of distilled spirits, must be pre-printed with the name and address of the wholesale liquor dealer. Each such record, sheet or page shall also bear

a pre-printed serial number, beginning with number 1 and, before repeating, continuing in numerical sequence to a number high enough to preclude the duplication of a serial number in such group within a period of six months. Each serially numbered form or sheet must be accounted for by the dealer. If a bound record book is used for recording receipts and dispositions, all of the pages of such book must be pre-numbered in unbroken sequence.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.220 *Variations in format, or preparation, of records.* The Director, Alcohol and Tobacco Tax Division, may approve variations in the format of records of receipt and disposition, or in the methods of preparing such records, where it is shown that variations from the requirements are necessary in order to use tabulating equipment, business machines, or existing accounting systems, and will not (a) unduly hinder the effective administration of this part, (b) jeopardize the revenue, or (c) be contrary to any provision of law. A dealer who proposes to employ format or methods other than as provided in this part shall submit a letterhead application so to do, in triplicate, to the assistant regional commissioner. Such application shall describe the proposed variations and set forth the need therefor. The assistant regional commissioner will determine the need for the variations, and whether approval thereof would unduly hinder the effective administration of this part or result in jeopardy to the revenue. The assistant regional commissioner will forward two copies of the application to the Director, Alcohol and Tobacco Tax Division, together with a report of his findings and his recommendation. Variations in format or methods shall not be employed until approval is received from the Director.

§ 194.221 *Recapitulation records.* Every wholesale liquor dealer shall, daily, prepare a recapitulation record showing, in wine gallons, the total quantities of distilled spirits received and disposed of during the day. At the end of each month he shall prepare grand totals of all receipts and dispositions during the month, and shall retain the work sheets from which totals are obtained.

DAILY AND MONTHLY REPORTS

§ 194.222 *Wholesale liquor dealer's monthly report, Form 338.* Every wholesale liquor dealer who is required to keep the records prescribed in § 194.210 shall file with the assistant regional commissioner a monthly report, on Form 338, of the total quantities of bottled distilled spirits received and disposed of during the month, not later than the 10th day of the month succeeding that for which rendered.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.223 *No transactions during month.* If there were no receipts or disposals of distilled spirits by a wholesale liquor dealer during a month, Form 338 must be prepared and forwarded to the assistant regional commissioner, showing

the quantity on hand the first day of the month and the quantity on hand the last day of the month and marked "No transactions during month." Wholesale liquor dealers maintaining records in the simplified manner prescribed by § 194.230 should show on Form 338 that no distilled spirits were on hand the first day and the last day of the month.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.224 *Discontinuance of business.* When a wholesale liquor dealer discontinues business as such, he shall render Form 338, covering transactions for the month in which business is discontinued, and mark such report, "Final."

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.225 *Daily reports, Forms 52A and 52B.* Except as otherwise provided in this subpart, every wholesale liquor dealer shall prepare and submit, daily, a report on Form 52A of all distilled spirits received by him, and on Form 52B of all distilled spirits disposed of by him. The reports shall be filed with the assistant regional commissioner by delivering or mailing them to such officer on the date the transactions entered therein occur: *Provided*, That in any case in which the assistant regional commissioner shall direct, the reports shall be so filed with the supervisor in charge instead of with the assistant regional commissioner. Each report shall bear the following declaration signed by the person or officer authorized to execute Form 338:

I declare under the penalties of perjury that this report, consisting of ____ pages, has been examined by me and to the best of my knowledge and belief is a true, correct and complete report of all the transactions which occurred during the period covered thereby, and each entry therein is correct.

If in any case the assistant regional commissioner shall so authorize, the reports, in lieu of being filed daily, may be filed for such periods and at such times as he may deem necessary in the interest of the Government, or the reports may be waived as provided in § 194.210.

(68A Stat. 619, 749; 26 U. S. C. 5114, 6065)

§ 194.226 *Entries on Forms 52A and 52B.* Where more than one shipment of distilled spirits is received from the same consignor during any month, there will be reported on Form 52A for the first shipment received, the name and address of such consignor, followed by the registry number (preceded by appropriate identifying symbols) and the State of the consignor's plant or warehouse (for example, IRBW-4-Ky.) or, in the case of shipments received from wholesale liquor dealers or importers, the permit number of the consignor (for example, 3-I-1234). For the remaining shipments received from such consignor during the month, there may be reported in the column designated "Name" such registry number or permit number, as the case may be, and the name and address of the consignor may be omitted. Likewise, where more than one shipment of distilled spirits is sent to the same consignee during any month, there will be reported on Form 52B for the first shipment made the name and address of such consignee followed by the registry num-

ber or permit number of the consignee. For the remaining shipments made to such consignee during the month, there may be reported in the column designated "Name" such registry number or permit number, as the base may be, and the name and address of the consignee may be omitted. Where the consignor or consignee is a retail dealer in liquors, the name and address must be reported on Form 52A or 52B for each shipment received or sent.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.227 *Entry of miscellaneous items.* Wholesale liquor dealers may report on Form 52B as one item the total quantity of different kinds of spirits made up from broken cases disposed of to the same person on the same day provided such total quantity is not in excess of 10 gallons. The entry of such items shall be stated as "Miscellaneous" or "Misc." and shall show the date, the name and address of the person to whom sold, and the quantity.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.228 *Serial numbers of cases.* Serial numbers of cases of distilled spirits received, or disposed of, shall be reported on Forms 52A or 52B unless the omission of such case serial numbers is specifically authorized by the assistant regional commissioner.

(68A Stat. 619; 26 U. S. C. 5114)

RETAIL DEALER'S RECORDS AND REPORTS

§ 194.229 *General requirements for retail dealers.* Each retail dealer in liquors, and each retail dealer in beer, shall provide, at his own expense, and keep in his place of business a record in book form, or shall keep all invoices or bills for distilled spirits, wines, or beer received, showing the quantities thereof, from whom received, and the receiving dates.

(68A Stat. 622, 681; 26 U. S. C. 5124, 5555)

§ 194.230 *Requirements where wholesale department is kept.* A liquor dealer engaged in the business of selling primarily at retail, who at the same premises also makes occasional sales of distilled spirits in quantities of 5 wine gallons or more in his capacity as a wholesale liquor dealer, shall keep the records prescribed in § 194.229 for all retail dealers. In addition, as prescribed by § 194.217, he shall prepare commercial records of disposition on all distilled spirits transferred into and sold from his wholesale department, and shall prepare recapitulation records of such spirits, as prescribed by § 194.221. The monthly report on Form 338, prescribed in § 194.222, must be submitted even if there have been no transactions in the wholesale department. Unless the dealer is relieved from such requirement, daily or periodic reports on Forms 52A and 52B shall be submitted by him on all the distilled spirits transferred from the retail department, as prescribed by § 194.210. As used in the subpart, the term "selling primarily at retail" shall mean that sales at retail must normally represent at least 90 percent of the volume of distilled spirits sold during a month. Where a liquor dealer is en-

gaged in such business, all distilled spirits at the premises may be considered as having been received in the retail department. When a sale of 5 wine gallons or more is made, the distilled spirits involved in the transaction shall be considered as having been transferred to the wholesale department at the time of sale. The wholesale department need not be maintained in a separate room or be partitioned off from the retail department, but sales at wholesale must be made in a part of the premises designated as the wholesale department.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.231 *Requirements when wholesale liquor dealer maintains a retail department.* A wholesale liquor dealer who sells distilled spirits in wholesale quantities, and at the same premises maintains a separate retail department where distilled spirits are sold in retail quantities, shall keep the records and render the reports prescribed by § 194.210 on all distilled spirits received and disposed of in his capacity as a wholesale dealer. When distilled spirits are transferred from the wholesale department to the retail department, a commercial record showing such disposition shall be prepared as prescribed by § 194.217. Where it is necessary in the filing of a wholesale order to transfer distilled spirits from the retail department to the wholesale department, a commercial record showing such receipt in the wholesale department shall be prepared as prescribed in § 194.216, and the entire sale entered on a record of disposition in the same manner as any other disposition from the wholesale department. The provisions of this subpart relating to submission of reports on Forms 52A and 52B are applicable to all transfers between wholesale and retail departments. The retail department need not be maintained in a separate room, or be partitioned off from the wholesale department, but the retail department must in fact be separate from the wholesale department. Where a wholesale dealer does not maintain a separate retail department, all distilled spirits received and disposed of must be accounted for on records of receipt and disposition regardless of the quantities involved.

(68A Stat. 619; 26 U. S. C. 5114)

FILES OF RECORDS AND REPORTS

§ 194.232 *Manner of filing loose-leaf records of receipt and disposition.* One legible copy of (a) each "Record of Receipt" (b) each credit memorandum used for the purpose of recording the receipt of returned merchandise, and (c) each "Record of Disposition" shall be marked or stamped as "Government File Copy" and shall be filed chronologically, and in numerical sequence within each date, in loose-leaf binders or books. Where the chronological filing of such records disarranges their numerical sequence to such an extent that the sequence of numbers cannot be readily traced, a control record shall be maintained by the wholesale liquor dealer, which shall key the numerical sequence of the records to their respective dates. Government file copies shall be filed not later than the close of the

business day next succeeding that on which the transaction occurred. Separate files shall be maintained for "Records of Receipt", for credit memoranda used to record receipt of returned merchandise, and for "Records of Disposition". Supporting documents such as consignors' invoices, delivery receipts and bills of lading, or exact copies thereof, may be filed in accordance with the wholesaler's customary practice. Documents supporting records of disposition shall have noted thereon the identifying serial numbers of the records of disposition to which they refer, as required by § 194.217.

(68A Stat. 619; 26 U. S. C. 5114)

§ 194.233 *Place of filing.* Prescribed records of receipt and disposition and file copies of Forms 52A, 52B, 338, and the recapitulation records required by § 194.221, shall be maintained in chronological order in separate files at the premises where the distilled spirits are received and sent out: *Provided*, That upon application, the assistant regional commissioner may authorize the files, or any individual file, to be maintained at other premises under control of the same dealer, if he finds that such maintenance will not delay the timely filing of any document, or cause undue inconvenience to internal revenue officers desiring to examine such files.

(68A Stat. 619; 26 U. S. C. 5114)

PERIOD OF RETENTION

§ 194.234 *Retention of records and files.* All records prescribed by this part, documents or copies of documents supporting such records, and file copies of reports submitted, shall be preserved for a period of not less than 2 years, and during such period shall be available, during business hours, for inspection and the taking of abstracts therefrom by internal revenue officers. Any records, or copies thereof, containing any of the information required by this part to be prepared, wherever kept, shall also be made available for such inspection and the taking of abstracts therefrom.

(68A Stat. 619, 681; 26 U. S. C. 5114, 5555)

PROCUREMENT OF REPORT FORMS

§ 194.235 *Forms to be provided by users at own expense.* Forms 52A, 52B and 338 will be provided by users at their own expense, but must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division: *Provided*, That, with the approval of the Director, Alcohol and Tobacco Tax Division, they may be modified to adapt their use to tabulating or other mechanical equipment. Application for permission to modify such forms shall be filed in the manner prescribed in § 194.220.

POSTING OF SIGNS

§ 194.236 *By wholesalers.* Every person engaged in business as wholesale dealer in liquors shall place and keep conspicuously on the outside of his place of business a sign exhibiting in plain, durable and legible letters, not less than 3 inches in height and of a proper and proportionate width, the name or firm of the dealer, with the words "Wholesale

Liquor Dealer." In the case of a wholesale liquor dealer who procures and posts a special tax stamp designated "Wholesale Dealer in Wines" or "Wholesale Dealer in Wines and Beer," the requirements of this section will be met by the posting of a sign of the character and dimensions prescribed in this section, but with words conforming to the designation of the special tax stamp.

(68A Stat. 620; 26 U. S. C. 5116)

§ 194.237 *By retailers.* Internal revenue laws do not require the posting of signs by retail dealers in liquors, retail dealers in beer, or wholesale dealers in beer.

[F. R. Doc. 55-6449; Filed, Aug. 8, 1955; 8:50 a. m.]

DEPARTMENT OF JUSTICE Immigration and Naturalization Service

[8 CFR Part 242]

NEW HEARING PROCEDURE

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) notice is hereby given of the proposed issuance of the following rules relating to proceedings to determine the deportability of aliens in the United States. In accordance with subsection (b) of said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1060, Temporary Federal Office Building X, Nineteenth and East Capitol Streets, N. E., Washington-25, D. C., written data, views, or arguments (in duplicate) relative to these proposed rules. Such representations may not be presented orally in any manner. All relevant material received within 30 days following the day of publication of this notice will be considered.

Part 242 is amended to read as follows:

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

- Sec.
242.1 Order to show cause and notice of hearing.
242.2 Apprehension, custody and detention.
242.3 Aliens confined to institutions.
242.4 Fingerprints and photographs.
242.5 Voluntary departure prior to commencement of hearing.
242.6 Aliens deportable under section 242 (f) of the act.
242.7 Cancellation of proceedings.
242.8 Special inquiry officers.
242.9 Examining officers.
242.10 Representation by counsel.
242.11 Incompetent respondents.
242.12 Interpreter.
242.13 Postponement and adjournment of hearing.
242.14 Evidence.
242.15 Contents of record.
242.16 Hearing.
242.17 Decision of the special inquiry officer.
242.18 Order of special inquiry officer.
242.19 Notice of decision.
242.20 Finality of order.
242.21 Appeals.

Sec.

242.22 Proceedings under section 242 (f) of the Act.

242.23 Savings clause.

AUTHORITY: §§ 242.1 to 242.23 issued under sec. 103, 68 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 242, 244, 292, 68 Stat. 208, 214, 235; 8 U. S. C. 1252, 1254, 1362.

§ 242.1 *Order to show cause and notice of hearing—(a) Commencement.* A proceeding to determine the deportability of an alien in the United States is commenced by the issuance and service of an order to show cause by the Service. In the proceeding the alien shall be known as the respondent. An order to show cause may be issued by a district director or district officers who are in charge of investigations, and officers in charge of suboffices.

(b) *Statement of nature of proceeding.* The order to show cause will contain a statement of the nature of the proceeding, the legal authority under which the proceeding is conducted, a concise statement of factual allegations informing the respondent of the acts or conduct alleged to be in violation of the law, and a designation of the charges against the respondent and of the statutory provisions alleged to have been violated. The order will require the respondent to show cause why he should not be deported. The order will call upon the respondent to appear before a special inquiry officer for hearing at a time and place stated in the order, not less than seven days after the receipt of such order, except that where the issuing officer, in his discretion, believes that the national interest, safety or security so requires, he may provide in the order for a shorter period. The issuing officer may, in his discretion, fix a shorter period in any other case at the request, and for the convenience, of the respondent.

(c) *Service.* Service of the order to show cause shall be made by having a copy delivered to the respondent by an immigration officer or by mailing it to him at his last known address by certified mail, return receipt requested. Delivery of a copy within this rule means: handing it to the respondent or leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein. Service by mail is complete upon mailing. If service has been made by the delivery of a copy to the respondent, written acknowledgment thereof on the original will be considered proof of service. The post office receipt for the mailing of the order to show cause, or the certificate by the officer serving the order by personal delivery setting forth the manner of said service, shall be proof of the service of the order.

§ 242.2 *Apprehension, custody and detention—(a) Warrant of arrest.* At the commencement of any proceedings under this part, or at any time thereafter and up to the issuance of a warrant of deportation in accordance with the provisions of § 243.1 of this chapter, the respondent may be arrested and taken into custody under the authority of a warrant of arrest issued by a district di-

rector or officer in charge of a suboffice whenever, in the discretion of any of such officers, it appears that the arrest of the alien is necessary and proper.

(b) *Authorized officers.* District directors or officers in charge may exercise the authority contained in section 242 of the act to continue or detain aliens in, or release them from, custody, and shall promptly notify the alien in writing of any determination made in his case. In any case in which release from custody is denied by any such officers, the regional commissioner shall be informed promptly of the action taken and the reasons therefor. The alien may appeal to the Board of Immigration Appeals from any determination of such officers relating to his bond, parole, or detention. Such appeal shall be taken by filing a notice of appeal with the district director or officer in charge within 5 days after the date when written notification of the determination is delivered in person or mailed to the alien. Upon the filing of such a notice of appeal, the district director or officer in charge shall immediately transmit to the Board of Immigration Appeals all records and information pertaining to his action in relation to such bond, parole, or detention and shall notify the regional commissioner. The filing of such an appeal shall not operate to disturb the custody of the alien or to stay the administrative proceedings or deportation. The foregoing provisions concerning notice, reporting, and appeal shall not apply when the Service notifies the alien that it is ready to execute the order of deportation and takes him into custody for that purpose.

(c) *Revocation of bond or parole.* In any case in which an alien who has been arrested and taken into custody has been released under bond or released on parole, such bond or parole may be revoked at any time in the discretion of the district director or officer in charge, in which event the alien may be taken into physical custody and detained. In the event of such detention, unless a breach has occurred, any outstanding bond shall be revoked and cancelled.

§ 242.3 *Aliens confined to institutions—(a) Service.* If the respondent is confined in a penal or mental institution or hospital, but is competent to understand the nature of the proceedings, a copy of the order to show cause, and of the warrant of arrest, when and if issued, shall be served upon him and upon the person in charge of the institution or hospital. If the respondent is not competent to understand the nature of the proceedings a copy of the order to show cause, and of the warrant of arrest, when and if issued, shall be served only upon the person in charge of the institution or hospital in which the respondent is confined, and such service shall be deemed service upon the respondent. In cases of mental incompetency, whether or not confined in an institution, and in cases of children under 16 years of age, an additional copy of the order and of the warrant of arrest, if any, shall be served upon such respondent's guardian,

near relative, or friend, whenever possible.

(b) *Service custody; cost of maintenance.* An alien confined in an institution or hospital shall not be accepted into physical custody by the Service until an order of deportation has been made and the Service is ready to deport the alien. When an alien is an inmate of a public or private institution at the time of the commencement of the deportation proceedings, no expense for the maintenance of the alien shall be incurred by the Government until he is taken into physical custody by the Service.

§ 242.4 *Fingerprints and photographs.* Every alien 14 years of age or older against whom proceedings are commenced under this part, shall be fingerprinted. Any such alien, regardless of his age, shall be photographed if a photograph is required by the district director or the officer in charge having administrative jurisdiction over the case.

§ 242.5 *Voluntary departure prior to commencement of hearing—(a) Authorized officers.* The authority contained in section 242 (b) of the act to permit aliens to depart voluntarily from the United States may be exercised by district directors and officers in charge.

(b) *Application.* Any alien, other than an alien prima facie deportable under section 242 (f) of the act, who believes himself to be eligible for voluntary departure under section 242 (b) of the act may apply therefor at an office of the Service anytime prior to the commencement of the hearing under an order to show cause in his case. The officers designated in paragraph (a) of this section may deny the application or grant the application and determine the conditions under which the alien's departure shall be effected. No appeal shall lie from a denial of an application for voluntary departure under this section, but the denial shall be without prejudice to the alien's right to apply for relief from deportation under any provision of law.

(c) *Revocation.* If, subsequent to the granting of an application for voluntary departure under this section, it is ascertained that the application should not have been granted, that grant may be revoked without notice by any district director or officer in charge.

§ 242.6 *Aliens deportable under section 242 (f) of the act.* In the case of an alien within the purview of section 242 (f) of the act, the order to show cause shall charge him with deportability only under section 242 (f) of the act. The prior order of deportation, properly identified, shall constitute prima facie cause for deportation under that section.

§ 242.7 *Cancellation of proceedings.* In any case in which an order to show cause or a warrant of arrest, or both, has been issued, the district director having administrative jurisdiction over the case may cancel the order to show cause and warrant of arrest if it has not been served, or prior to the actual commencement of the hearing under a served order to show cause (whether or not a warrant of arrest has been issued) terminate proceedings thereunder, if in either case, he is satisfied that the re-

spondent is actually a national of the United States, or is not deportable under the immigration laws, or is deceased, or has departed from the United States subsequent to the issuance of the order to show cause.

§ 242.8 *Special inquiry officers—(a) Authority.* In proceedings conducted under this part, the special inquiry officer shall have the authority to determine deportability as provided by section 242 (b) of the act, to reinstate orders of deportation as provided by section 242 (f) of the act, to suspend deportation and to authorize voluntary departure as provided by section 244 of the act, to authorize preexamination as provided by Part 485 of this chapter, to take or cause depositions to be taken, to take any other action consistent with applicable provisions of law and regulations; and to certify the completeness and correctness of transcripts of hearings.

(b) *Withdrawal and substitution of special inquiry officers.* The special inquiry officer assigned to conduct the hearing may at any time withdraw if he deems himself disqualified. If a special inquiry officer becomes unavailable to complete his duties within a reasonable time, or if at any time the respondent consents to a substitution, another special inquiry officer may be assigned to complete the case. The new special inquiry officer shall familiarize himself with the record in the case and shall state for the record that he has done so.

§ 242.9 *Examining officers—(a) Authority.* When an additional immigration officer is assigned to a proceeding under this part to perform the duties of an examining officer, he shall present the evidence on behalf of the Government as to deportability as provided in section 242 (b) of the act. The examining officer shall also inquire thoroughly into the respondent's eligibility for any requested discretionary relief from deportation and shall develop such other information as may be pertinent to the proper disposition of any case to which he is assigned.

(b) *Assignment.* The district director or officer in charge shall assign an examining officer to every case within the provisions of § 242.16 (c). The assignment of an examining officer to any other case, in any stage of the proceeding, shall be in the discretion of the special inquiry officer, the district director, or the officer in charge.

§ 242.10 *Representation by counsel.* The respondent may be represented at the hearing by an attorney or other representative qualified under Part 292 of this chapter.

§ 242.11 *Incompetent respondents.* When it is impracticable for the respondent to be present at the hearing because of mental incompetency, the custodian, guardian, near relative, or friend who was served with a copy of the order to show cause shall be permitted to appear on behalf of the respondent.

§ 242.12 *Interpreter.* Any person acting as interpreter in a hearing under this part shall be sworn to interpret and translate accurately, unless the interpre-

ter is an employee of the Service, in which event no such oath shall be required.

§ 242.13 *Postponement and adjournment of hearing.* Prior to the commencement of a hearing, the district director or the officer in charge having administrative jurisdiction of the office wherein the case is pending may grant a reasonable postponement for good cause shown; at his own instance upon notice to the respondent, or upon request of the respondent. After the commencement of the hearing, the special inquiry officer may grant a reasonable adjournment either at his own instance or, for good cause shown, upon application by the respondent or the examining officer. A continuance of the hearing for the purpose of allowing the respondent to obtain representation shall not be granted more than once, unless sufficient cause for the granting of more time is shown.

§ 242.14 *Evidence—(a) Sufficiency.* No determination of deportability shall be valid unless based on reasonable, substantial, and probative evidence.

(b) *Confidential information.* A denial of discretionary relief from deportation may be based upon confidential information as provided by § 244.3 of this chapter.

(c) *Use of prior statements.* The special inquiry officer may receive in evidence any statement, oral or written, which is material and relevant to any issue in the case, previously made by the respondent or any other persons during any investigation, examination or hearing.

§ 242.15 *Contents of record.* The hearing before the special inquiry officer, including the pleadings, testimony, exhibits, decision of the special inquiry officer, and all written motions, orders, appeals and other papers and requests filed in the proceeding, shall constitute the record in the case.

§ 242.16 *Hearing—(a) Opening.* The special inquiry officer shall advise the respondent of his right to representation, at no expense to the government, by counsel authorized to practice in the proceedings, as he shall choose, and require him to state then and there whether he desires representation; advise the respondent that he will have a reasonable opportunity to examine and object to the evidence against him, to present evidence in his own behalf, and to cross-examine witnesses presented by the Government; place the respondent under oath; read to the respondent the factual allegations and the charges in the order to show cause and explain them in nontechnical language, and enter the order to show cause as an exhibit in the record.

(b) *Pleading by respondent.* The special inquiry officer shall require the respondent to plead to the order to show cause by stating whether he admits or denies the factual allegations and the charges contained therein. If the respondent admits his deportability under the charges and admits the factual allegations completely or in substance, the special inquiry officer may determine that deportability as charged in the

order to show cause has been established by these admissions without receiving further evidence.

(c) *Issues of deportability.* When deportability is not determined under the provisions of paragraph (b) of this section, the special inquiry officer shall receive evidence as to any unresolved issues, except that no further evidence need be received as to any facts admitted during the pleading by the respondent.

(d) *Additional charges.* If it appears during the hearing that the respondent may be deportable on charges other than or in addition to those contained in the order to show cause, the examining officer may lodge additional charges against the respondent. When additional charges are lodged, the special inquiry officer shall explain these charges to the respondent in nontechnical language and shall advise him, if he is not represented by counsel, that he may be so represented. The special inquiry officer shall also inform the respondent that he may have a reasonable time within which to meet the additional charges. The respondent shall be required to state then and there whether he desires a continuance for either of these reasons.

(e) *Application for discretionary relief.* The respondent may apply during the hearing for suspension of deportation on Form I-256A or voluntary departure under section 244 of the act; preexamination on Form I-63 under Part 485 of this chapter, or such other discretionary relief as may be appropriate to the case. The respondent has the burden of establishing his eligibility for discretionary relief and may submit evidence in support of his application.

§ 242.17 *Decision of the special inquiry officer—(a) Contents.* The decision of the special inquiry officer may be oral or written. Except in cases where deportability is determined on the pleadings pursuant to § 242.16 (b), the decision shall include a summary of the evidence, and shall set forth findings of fact and conclusions of law, as to deportability. The decision shall also contain a discussion of the evidence relating to the respondent's eligibility for any discretionary relief requested and the reasons for granting or denying the application. The decision shall be concluded with the order of the special inquiry officer.

(b) *Summary decision.* Notwithstanding the provisions of paragraph (a) of this section, in any case where deportability is determined on the pleadings pursuant to § 242.16 (b) and the respondent does not apply for any discretionary relief, or the respondent applies for voluntary departure only and the special inquiry officer grants the application, the special inquiry officer may enter a summary decision on Form I-38, if deportation is ordered, or on Form I-39 if voluntary departure is granted.

§ 242.18 *Order of special inquiry officer.* The order of the special inquiry officer shall be that the alien be deported, or that the proceedings be terminated, or that the alien's deportation be suspended, or that the alien be granted voluntary departure at his own expense

in lieu of deportation, or that the alien be granted preexamination and voluntary departure at his own expense in lieu of deportation, or that such other action be taken in the proceedings as may be required for the appropriate disposition of the case.

§ 242.19 *Notice of decision—(a) Written decision.* A written decision shall be served upon the respondent and the examining officer, if any, by the district director or officer in charge having administrative jurisdiction over the office in which the proceeding is pending, together with the notice referred to in § 6.11 (a) of this chapter.

(b) *Oral decision.* An oral decision shall be stated by the special inquiry officer in the presence of the respondent and the examining officer, if any, at the conclusion of the hearing. Unless appeal from the decision is waived, a type-written copy of the oral decision shall be served in the same manner as a written decision.

(c) *Summary decision.* When the special inquiry officer renders a summary decision as provided in § 242.17 (b) he shall serve a copy thereof upon the respondent at the conclusion of the hearing. Unless appeal from the decision is waived, the respondent shall also be furnished with two copies of Notice of Appeal, Form I-290A, and advised of the provisions of § 242.21 (c).

§ 242.20 *Finality of order.* The order of the special inquiry officer shall be final except when the case has been certified as provided in § 7.1 (b) or § 6.1 (c) of this chapter, or an appeal is taken to the Board of Immigration Appeals by the respondent or by the examining officer.

§ 242.21 *Appeals—(a) Appeals not permitted.* No appeal shall lie from an order of a special inquiry officer denying an application for voluntary departure or preexamination as a matter of discretion where the special inquiry officer has found the alien statutorily eligible for voluntary departure or eligible for preexamination pursuant to Part 485 of this chapter, and the alien has been in the United States for a period of less than 5 years at the time of the service of the order to show cause in deportation proceedings.

(b) *Permissible appeals.* In all cases (except those covered by the provisions of § 242.20 relating to certification and paragraph (a) of this section) an appeal shall lie from an order of the special inquiry officer under this part to the Board of Immigration Appeals. The reasons for the appeal shall be stated briefly in the Notice of Appeal, Form I-290A. When the conclusion as to deportability is contested, the appellant shall be required to indicate in the Notice of Appeal, Form I-290A, the particular findings of fact or conclusions of law with which he disagrees. Failure to do so may constitute a ground for dismissal of the appeal by the Board.

(c) *Time for taking appeal.* An appeal shall be taken within 10 days after receipt of a written decision, or a type-written copy of an oral decision, or a summary decision on Forms I-38 or I-39,

§ 242.22 *Proceedings under section 242 (f) of the act—(a) Conduct of hearing, decision, finality of order.* Except as hereafter provided in paragraph (c) of this section, all of the provisions of §§ 242.8 to 242.21, inclusive, shall apply to the case of a respondent within the purview of § 242.6.

(b) *Relief from deportation.* A respondent who is prima facie deportable under the provisions of section 242 (f) of the act shall not be permitted to apply for voluntary departure in lieu of deportation or for suspension of deportation and shall not be granted such relief.

(c) *Scope of hearing.* The hearing referred to in paragraph (a) of this section shall be limited solely to a consideration and determination of the identity of respondent, i. e., whether respondent is in fact a person who was previously deported or departed pursuant to an order of deportation; whether the respondent was previously deported as a member of any of the classes described in paragraph (4) (5), (6), (7) (11) (12) (14) (15), (16) (17) or (18) of section 241 (a) of the act; and whether respondent unlawfully reentered the United States.

(d) *Scope of decision.* If on the basis of the evidence presented the special inquiry officer has determined that the respondent is deportable under section 242 (f) of the act, he shall state for the record at the conclusion of the hearing and in the presence of the respondent his decision in the case, which shall consist of a summary of the evidence adduced; unless waived by the respondent, his findings of fact and conclusions of law as to the issues described in paragraph (c) of this section; and an order that the respondent be deported under the previous order of deportation in accordance with section 242 (f) of the act.

(e) *Appeal.* The order of the special inquiry officer that the respondent be deported under the previous order of deportation in accordance with section 242 (f) of the act may be appealed by the respondent to the Board in accordance with the provisions of § 242.21.

(f) *Other action.* If during the course of a hearing pursuant to this section the special inquiry officer determines that the respondent is not deportable under section 242 (f) of the act, the special inquiry officer may terminate the proceedings or request the assignment of an examining officer as provided in § 242.9 (b) in which event all of the provisions of §§ 242.8 to 242.21, inclusive, shall apply.

§ 242.23 *Savings clause.* Pending deportation proceedings in which a warrant of arrest was served prior to the effective date of this part shall be completed in accordance with the regulations which were in effect immediately preceding that date.

Dated: August 3, 1955.

J. M. SWING,
Commissioner of
Immigration and Naturalization.

[F. R. Doc. 55-6435; Filed, Aug. 8, 1955; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1069]

IMPORTS OF LIMES

NOTICE OF PROPOSED RULE-MAKING

Notice is hereby given that the Department is giving consideration to the grade, size, quality and maturity requirements that are to be made applicable to the importation of limes into the United States pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq., 68 Stat. 906, 1047), and the applicable General Regulations (7 CFR Part 1060; 19 F. R. 7707, 8012)

The requirements under consideration are to make applicable to all imports of limes the same requirements as those currently imposed under Order No. 101 (CFR Part 1001, 20 F. R. 4179) on handlers of Florida limes. Such requirements are contained in paragraph (b) (1) of Lime Order 1, as amended (§ 1001-301, 20 F. R. 4711, 4897), and are as follows:

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., July 11, 1955, and ending at 12:01 a. m., e. s. t., April 1, 1956, no handler shall handle:

(i) Any limes, including the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) and the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grown in the State of Florida, except the area West of the Suwannee River, which do not grade at least U. S. No. 2: *Provided*, That (a) a tolerance of 15 percent (including the tolerances provided in such grade) shall be allowed for limes not meeting the requirements of such grade; and (b) the requirement of such grade that the limes shall have good green color shall be applicable only to limes known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties)

The terms "U. S. No. 2," and "good green color" shall have the same meaning as when used in the United States Standards for Persian (Tahiti) Limes, as recodified (7 CFR 51.1001, 18 F. R. 7107) and all other terms shall have the same meaning as when used in the General Regulations. Copies of the grade standards may be obtained upon request to any office of the Federal or Federal-State Inspection Service of this Department. It is proposed that the Federal Inspection Service will be designated to perform, through inspectors authorized or licensed by such Service, the inspection and certification prescribed by the General Regulations. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in Southern California, importers of

limes should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the limes will be imported:

Ports	Office	Advance notice
All Texas points.	George B. Crisp, Jeffers Bldg., P. O. Box 111, Harlingen, Tex. (Telephone Garfield 3-1240).	1 day.
All Arizona points.	R. H. Bertelson, Room 202 Trust Bldg., 305 American Ave., P. O. Box 1046, Nogales, Ariz. (Telephone 484).	1 day.
All California points.	Carley D. Williams, 284 Wholesale Terminal Bldg., 784 S. Central Ave., Los Angeles 21, Calif. (Telephone Vandike 8756).	3 days.
All other points.	E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, AMS, Washington 25, D. C. (Telephone Republic 7-4142, Ext. 5870).	3 days.

It is further proposed that any importation which in the aggregate does not exceed 250 pounds, net weight, may be imported without regard to any such restrictions. This proposal is in recognition of the problems and costs incident to the regulation of the numerous small-lot, non-commercial entries of limes from Mexico, the principal source of lime imports into the United States.

All persons who desire to submit written data, views, or arguments for consideration in connection with the foregoing proposals should do so by forwarding the same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the tenth day after the publication of this notice in the FEDERAL REGISTER.

Dated: August 4, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-6453; Filed, Aug. 8, 1955;
8:51 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 154, 157]

[Docket No. R-145]

RATE SCHEDULES AND TARIFFS; APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

FURTHER SUPPLEMENTAL NOTICE OF PROPOSED RULEMAKING

July 27, 1955.

1. Notice of proposed rulemaking was given on June 1, 1955. Said notice was published in the FEDERAL REGISTER on June 22, 1955 (20 F. R. 4368). A supplemental notice, dated June 15, 1955 was similarly published on June 28, 1955 (20 F. R. 4548). By notice dated June 22, 1955 (20 F. R. 4660) the time to submit data, views, and comments was extended to August 1, 1955.

2. In addition to the amendments to part 154 proposed in the two notices referred to in paragraph 1, above, the Commission proposes to amend § 154.63 (b) (3) (i) in three additional respects as more particularly set forth below.

3. (a) It is proposed to liberalize the circumstances under which abbreviated rate filings may be made by amending the second proviso of subparagraph (a) of the above-designated section relating to successive filings of major increases. As part of this amendment it is also necessary to provide for the submission of the additional information in the proposed amendment to Statement N set out below.

(b) It is proposed to provide for the giving by the Commission of notices of deficiencies in rate-increase filings where the application is made 45 days in advance of the proposed effective date. Such notice would allow the filing company a reasonable time to amend its filing to conform to the requirements of the rules; and

(c) Statement G which requires a company to show its operating revenues and sales volumes is proposed to be revised so as to reduce the volume of paper work apparently presently required in its preparation.

4. The changes proposed herein are the result of the Commission's study and consideration of the various proposals which have resulted from the still-continuing series of conferences referred to in paragraph 3 of the original notice of proposed rulemaking dated June 1, 1955.

5. The accompanying amendments to the Commission's regulations are proposed to be issued under authority granted the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 4, 7, and 16 thereof (52 Stat. 822, 830, as amended 56 Stat. 83, 15 U. S. C. 717c, 717f, and 717g)

6. Any interested person may submit to the Federal Power Commission, Washington 25, D. C., on or before August 16, 1955, data, views and comments in writing concerning the amendments proposed herein. The Commission will consider these written submittals before acting upon the proposed amendments. An original and 9 copies should be filed of any such submittals.

1. Amend the second proviso of § 154.63 (b) (3) (i) (a) to read:

(3) *Rate increase applications*—(i) *Rate increases.* (a) * * * *Provided, however* That a natural-gas company filing another major increase in rates or charges within a period of twelve months after the filing of Statements A through M, or the end of the test period used therein including the period of adjustments shown on Statements A through M, may submit for such other increase Statements L, M, and N in lieu of Statements A through M if * * *

2. Amend subdivision (d) of the same section to read:

(d) Where the data submitted in Statements A to N do not comply with the requirements of the rules, the rate

filing is subject to rejection: *Provided, however* That if the proposed rate increase is filed at least 45 days before the effective date proposed therefor and such filing does not comply with the requirements of the rules, the natural-gas company will be notified of the deficiencies, and if such deficiencies are properly cured within 10 days from the date of such notice, the requisite supplementary material will be deemed to have been filed as of the same date as the initial submittal of the proposed rate increase.

3. Amend Statement G in the same section to read:

Statement G—Gas operating revenues and sales volumes. This statement shall show the revenues from gas sales, other gas-operating revenues, and sales-volumes classified as between jurisdictional and non-jurisdictional sales and services as follows:

(a) Revenues by months and the totals thereof for the 12 months of actual experience from jurisdictional sales as computed under the presently effective and proposed rates together with the differences in the annual revenues, and the actual annual revenues from the non-jurisdictional sales.

(b) Revenues by months and the totals thereof for 12 months of actual experience as adjusted for changes which are known and measurable and which are expected to be realized within 8 months of the last month of available actual experience from jurisdictional sales as computed under the presently effective and proposed rates together with

the differences in the annual revenues for the test period, and the annual revenues from the non-jurisdictional sales under the rates effective during the test period.

Each jurisdictional sale for resale, and each jurisdictional transportation service, shall be shown separately but the main line non-jurisdictional sales and non-jurisdictional field sales may be separately grouped and the other sales may also be grouped by the classifications prescribed by the Commission's Uniform System of Accounts for Natural Gas Companies. For each revenue item shown separately, there shall be shown the points of delivery, the billing quantities for each month and their determinants or adjustments (demands, volumes, Btu content, Btu adjustment, etc.), and the maximum single day's delivery in each month if available. In the event any sale shown separately is made through more than one delivery point, and conjunctive billing is provided by the tariff, the above data may be combined for all delivery points.

This Statement G shall be included, in full, in the submittal to the Commission and to all State Commissions having jurisdiction over the affected customers of the natural-gas company. The submittal to each of the affected customers may be limited to exclude the above details by months except with respect to the gas sales to, or transportation service for, that particular customer, provided a copy of Statement G, in full, is promptly submitted to any affected customer upon such customer's request.

The data supplied in this statement shall be in lieu of the data called for by § 154.63 (b) (2) of these rules.

4. Amend Statement N in the same section by adding the following new paragraph at the end thereof:

When this statement is filed pursuant to the second proviso of § 154.63 (b) (3) (i) (a) and the beginning of the 12 consecutive months of the most recently available actual experience is more than one month beyond the 12 months of actual data used in the prior rate-increase filing, the natural-gas company shall also show separately in this statement the actual data for the intervening period for items 1, 2, 5, 6, and 8 above and total sales volumes and revenues for such period broken down between jurisdictional and non-jurisdictional sales.

NOTICE OF FURTHER EXTENSION OF TIME

By notice dated June 22, 1955, the time within which to submit data, views and comments in the above-entitled matter was extended to August 1, 1955;

Notice is hereby given that the time within which to submit data, views, and comments on the proposed rules pursuant to the notice dated June 1, 1955 (20 F. R. 4368), the supplemental notice dated June 15, 1955 (20 F. R. 4548) and the supplemental notice as set forth above is further extended from August 1, 1955, to August 16, 1955.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 55-6444; Filed, Aug. 8, 1955; 8:49 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. E-6637]

NORTHERN STATES POWER CO.

NOTICE OF APPLICATION SEEKING ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

AUGUST 3, 1955.

Take notice that on July 29, 1955, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Northern States Power Company, a Minnesota corporation, doing business in the States of Minnesota, North Dakota and South Dakota, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance, from time to time, of its promissory notes in amounts not exceeding an aggregate of \$25,000,000 at any one time outstanding to evidence short-term borrowings from commercial banks. On June 1, 1955, Applicant borrowed an aggregate of \$11,572,250 from various commercial banks, which borrowings were evidenced by unsecured promissory notes dated June 1, 1955, to be due on or before March 1, 1956, and bearing interest at the rate of 3 percent per annum. The Applicant states that by virtue of section 204 (e) of the act no prior authorization therefor was needed. Applicant proposes to borrow \$13,427,750 in 1955 or in the early part of 1956 and proposes to issue promissory notes for the additional funds to be borrowed. The additional notes will be dated as of the date of their issuance;

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will be payable on or before a date not more than 12 months after the date of issuance, or December 31, 1956, whichever is earlier; and will bear interest at the prime loan rate in effect at the time of issuance. Funds to be obtained will be used to carry on Applicant's current construction program; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 24th day of August 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's Rules of Practice and Procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 55-6437; Filed Aug. 8, 1955; 8:48 a. m.]

[Docket Nos. G-8865, G-8866]

KEARNEY GAS PRODUCTION CO. ET AL. NOTICE OF APPLICATIONS AND DATE OF HEARING

AUGUST 3, 1955.

In the matters of Kearney Gas Production Company and Deerfield Gas Production Company, Docket No. G-8865; Kansas-Nebraska Natural Gas Company, Docket No. G-8866.

Take notice that Kearney Gas Production Company (Kearney) and Deerfield Gas Production Company (Deerfield), Delaware corporations with their principal place of business in Chicago, Illinois, and Wichita, Kansas, respectively, filed a joint application on May 5, 1955, pursuant to section 7 (b) of the Natural Gas Act, for permission and approval to abandon their facilities and the service rendered thereby, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open to public inspection.

Kansas-Nebraska Natural Gas Company (Kansas-Nebraska) a Kansas corporation with its principal place of business at Phillipsburg, Kansas, filed an application on May 5, 1955, pursuant to section 7 (c) of the Natural Gas Act, authorizing it to acquire and operate the facilities and to render the service proposed to be abandoned by Kearney and Deerfield, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Kearney and Deerfield each own an undivided one-half interest in 80 leases upon which have been drilled 77 wells on 77 sections of Kearney County, Kansas. They jointly own and operate approximately 50 miles of 3-, 4- 6- and 8-inch lines, together with the facilities

usually constructed and operated with such wells.

Kansas-Nebraska proposes to acquire and operate the facilities and to operate them as an integral part of its existing system and to assume Kearney's and Deerfield's obligations to supply natural gas to Northern Natural Gas Company. It will also assume all other obligations of Kearney and Deerfield.

The total reserves which Kearney and Deerfield now have under contract for sale to Northern Natural Gas Company and Kansas-Nebraska are 521,194,149 Mcf, of which 16,079,942 Mcf are under contract to Northern Natural Gas Company and 20,099,819 Mcf represent fractional interests owned by others. Thus, Kansas-Nebraska will be acquiring title to 501,094,330 Mcf, and 485,014,388 Mcf of this quantity will be an addition to its company-owned reserves.

The present net book value of the combined facilities of Kearney and Deerfield Companies is \$5,898,347, which is to be allocated as follows between the acquiring interests:

Gas Payment Trust 1-----	\$3,817,497
Kansas-Nebraska -----	2,080,850

¹ Gas Payment Trust Certificates are to be sold by Kearney and Deerfield subject to approval of the Securities and Exchange Commission.

Kansas-Nebraska will pay \$2,026,672 for the facilities and the Gas Payment Trust Certificates will be sold for a total of \$3,743,996, or a total of \$5,770,668. The proceeds of the sale of the Gas Payment Trust Certificates will be used by Kearney and Deerfield to retire their outstanding mortgage notes which amounted to \$3,201,885 as of December 31, 1954. From the Exhibits submitted it appears that of the \$2,026,672 which Kansas-Nebraska will pay for the facilities, only approximately \$560,000 will be paid in cash and the balance will consist of cancellation of indebtedness of Kearney and Deerfield to Kansas-Nebraska.

Kansas-Nebraska states that it currently purchases approximately 27 percent of its annual gas supply from Kearney and Deerfield, and that acquisition of this substantial portion of its supply will strengthen its position in negotiating with other producers for additional supplies. It further states that Kansas-Nebraska has both the interest and the financial ability to engage in deep sands exploration and development, which is not being carried on by the present ownership.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice, that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on September 12, 1955, at 10:00 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications:

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1:10) on or before August 22, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-6438; Filed, Aug. 8, 1955;
8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

CHIEF, GRADING BRANCH, POULTRY
DIVISION

DELEGATION OF AUTHORITY TO EXERCISE CERTAIN POWERS AND FUNCTIONS

Pursuant to the authority vested in me by the Administrator of the Agricultural Marketing Service on December 29, 1953 (19 F. R. 35) authority is hereby delegated to the Chief of the Grading Branch, Poultry Division, of the Agricultural Marketing Service, to act with reference to the administration of the following sections of the rules and regulations (7 CFR Part 56) governing the grading and inspection of shell eggs and United States standards, grades and weight classes for shell eggs: §§ 56.4, 56.21, 56.23, 56.26, 56.30, 56.35, 56.36, 56.40, 56.46, 56.60, 56.61, 56.62, 56.63, 56.64 and 56.67.

Any action heretofore taken by the Chief of the Grading Branch of the Poultry Division, with respect to the foregoing matters, is hereby ratified and confirmed and shall remain in full force and effect until expressly modified, amended, suspended, revoked, or terminated.

Done at Washington, D. C., this 3d day of August 1955.

[SEAL]

HERMON I. MILLER,
Director Poultry Division,
Agricultural Marketing Service.

[F. R. Doc. 55-6421; Filed, Aug. 8, 1955;
8:45 a. m.]

CHIEF, GRADING BRANCH, POULTRY
DIVISION

DELEGATION OF AUTHORITY TO EXERCISE CERTAIN POWERS AND FUNCTIONS

Pursuant to the authority vested in me by the Administrator of the Agricultural Marketing Service on December 29, 1953 (19 F. R. 35) authority is hereby delegated to the Chief of the Grading Branch, Poultry Division, Agricultural Marketing Service, to act with reference to the administration of the following sections of the rules and regulations (7 CFR Part 55) governing the grading and inspection of egg products: §§ 55.21, 55.22, 55.35, 55.43 (b) 55.47, 55.51, 55.52, 55.53, 55.56, 55.61, and 55.77 (g)

Any action taken heretofore by the Chief of the Grading Branch of the Poultry Division, with respect to the fore-

going matters, is hereby ratified and confirmed and shall remain in full force and effect until expressly modified, amended, suspended, revoked, or terminated.

Done at Washington, D. C., this 3d day of August 1955.

[SEAL]

HERMON I. MILLER,
Director Poultry Division,
Agricultural Marketing Service.

[F. R. Doc. 55-6422; Filed, Aug. 8, 1955;
8:45 a. m.]

CHIEF, GRADING BRANCH, AND CHIEF, IN-
SPECTION BRANCH, POULTRY DIVISION

DELEGATION OF AUTHORITY TO EXERCISE CERTAIN POWERS AND FUNCTIONS

Pursuant to the authority vested in me by the Administrator of the Agricultural Marketing Service on December 29, 1953 (19 F. R. 35) authority is hereby delegated to the following officials of the Agricultural Marketing Service, to act with reference to the administration of the applicable provisions of those sections of the rules and regulations (7 CFR Part 70) governing the grading and inspection of poultry and edible products thereof, which appear opposite their titles:

Chief of the Grading Branch, Poultry Division: §§ 70.11, 70.17, 70.41, 70.43, 70.44, 70.90, 70.101, 70.104, 70.105, 70.120, 70.122, 70.131, 70.201, 70.220, 70.221, 70.222, 70.223, 70.225, 70.284 (d), and 70.286.

Chief of the Inspection Branch, Poultry Division: §§ 70.15, 70.17, 70.41, 70.43, 70.44, 70.90, 70.93, 70.101, 70.104, 70.105, 70.120, 70.122, 70.150, 70.151, 70.152, 70.157, 70.170, 70.171, 70.172, 70.173, 70.284 (d) and 70.286.

Where the foregoing sections apply to both grading and inspection services, the Chief of the Grading Branch shall act with respect to grading functions and the Chief of the Inspection Branch shall act with respect to inspection functions. In the event of concurrent jurisdiction in providing service to a single plant, the authority delegated herein with respect to plant approvals, labeling, chilling methods and use of compounds shall be exercised jointly.

Any action heretofore taken by the Chief of the Grading Branch, or the Chief of the Inspection Branch, of the Poultry Division, with respect to the foregoing matters, is hereby ratified and confirmed and shall remain in full force and effect until expressly modified, amended, suspended, revoked, or terminated.

Done at Washington, D. C., this 3d day of August 1955.

[SEAL]

HERMON I. MILLER,
Director Poultry Division,
Agricultural Marketing Service.

[F. R. Doc. 55-6423; Filed, Aug. 8, 1955;
8:45 a. m.]

Office of the Secretary

CERTAIN STATES

REDESIGNATION OF AREAS FOR SPECIAL EMERGENCY LOANS

For the purpose of making emergency loans pursuant to Public Law 727, 83d

Congress, as amended by Public Law 117, 84th Congress, it is determined that there is a need, on the part of borrowers indebted for such loans in the 118 counties located in North Dakota, South Dakota, Arizona, Minnesota, New Jersey and Colorado, referred to below, for additional credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs, or under Public Law 38, 81st Congress, as amended, or other responsible sources. Accordingly, such loans may be made under this redesignation on and after June 30, 1955, only to such indebted borrowers in the 118 counties designated pursuant to Public Law 727, 83d Congress, under designations appearing in 20 F. R. 491, 1029, 1326, 1514, 1745, 1994, 2094, and 2290.

Done at Washington, D. C., this 4th day of August 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-6427; Filed, Aug. 8, 1955;
8:46 a. m.]

NEW JERSEY

DISASTER ASSISTANCE; DESIGNATION OF AREAS FOR SPECIAL EMERGENCY LOANS

For the purpose of making emergency loans pursuant to Public Law 727, 83d Congress, as amended, it is determined that in the following-named counties in the State of New Jersey there is a need for agricultural credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs, or under Public Law 38, 81st Congress (12 U. S. C. 1148a-2) as amended, or other responsible sources.

NEW JERSEY

Atlantic.	Mercer.
Burlington.	Middlesex.
Camden.	Monmouth.
Cape May.	Ocean.
Cumberland.	Salem.
Gloucester.	Somerset.
Hunterdon.	

Pursuant to the authority set forth above, such loans may be made to new applicants in the above-named counties in the State of New Jersey through December 31, 1955. Thereafter, such loans may be made in such counties only to indebted borrowers who previously received such assistance under this designation.

Done at Washington, D. C., this 3d day of August 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-6428; Filed, Aug. 8, 1955;
8:46 a. m.]

CHIEF OF FOREST SERVICE

DELEGATION OF AUTHORITY WITH RESPECT TO LANDS

The Chief of the Forest Service or, upon authorization by him, the regional

forester, may exercise with respect to lands under his jurisdiction all the powers conferred upon me by those provisions of the Act of July 23, 1955 (Public Law No. 167, 84th Cong.), which amend the mining laws to provide for multiple use of the surface of the public lands.

Done at Washington, D. C., this 4th day of August 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-6425; Filed, Aug. 8, 1955;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1680]

ASHLAND OIL AND REFINING CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 3d day of August 1955.

The Boston Stock Exchange pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of the Ashland Oil and Refining Company, a security listed and registered on the New York and Midwest Stock Exchanges.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to August 22, 1955 the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 55-6439; Filed, Aug. 8, 1955;
8:48 a. m.]

[File No. 7-1683]

ROYAL DUTCH PETROLEUM CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 3d day of August 1955.

The San Francisco Stock Exchange pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in Ordinary Shares, 50 Guilders Par, of Royal Dutch Petroleum Company, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to August 22, 1955, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 55-6440; Filed, Aug. 8, 1955;
8:49 a. m.]

[File No. 7-1633]

TRI-CONTINENTAL CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 3d day of August 1955.

The San Francisco Stock Exchange pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Warrants for \$1 Par Common Stock, of the Tri-Continental Corporation, a security listed and registered on the American Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to August 22, 1955 the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts

bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-6441; Filed, Aug. 8, 1955;
8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

WASHINGTON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 28, 1955.

An application, serial number W-02135, for the withdrawal from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and leasing for grazing purposes of the lands described below was filed on May 16, 1955, by Corps of Engineers, U. S. Army, Portland, Oregon District, Portland, Oregon. The purposes of the proposed withdrawal: For use in connection with the construction and operation of The Dalles Dam, Columbia River.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior, at Room 209, Federal Building, Spokane, Washington. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

WASHINGTON, WILLAMETTE MERIDIAN

T. 2 N., R. 14 E. W. M.,

Sec. 13, Lot 3, that portion of the southeast quarter of northwest quarter, lying southerly of the north boundary of the existing right of way of the Spokane, Portland and Seattle Railway Company, and Lot 4 (now inundated by the Columbia River) containing 8.10 acres, more or less.

Sec. 17, Lot 2, all that portion lying southeasterly of a line that is 100 feet distant northwesterly, when measured at right

angles, from the center line survey for the relocation of the railroad of the Spokane, Portland and Seattle Railway Company, said center line being more particularly described as follows:

Beginning at Engineer's Station L 760+00 P. O. T., from which station the southwest corner of Section 17 in said township and range bears S. 66° 19' 09" W. a distance of 2,874.6 feet; thence N. 71° 47' 30" E. 527.32 feet to Station L 765+27.32 B. S., thence northeasterly, on an increasing Talbot spiral to the left (a=0.5172), a distance of 290.00 feet through an angle of 2° 10' 30" to Station L 768+17.32 B. M. C., thence northeasterly, on a curve to the left having a radius of 3,819.75 feet, a distance of 170.56 feet through an angle of 2° 33' 30" to Station L 769+87.88 E. M. C., thence northeasterly, on a decreasing Talbot spiral to the left (a=0.5172), a distance of 290.00 feet through an angle of 2° 10' 30" to Station L 772+77.88 E. S., thence N. 64° 53' 00" E. 420.83 feet to Station L 776+98.71 B. S. Containing 5.90 acres more or less.

Sec. 19, NW¼NW¼, all that portion of the east 11.70 chains lying southerly of the south boundary of the right of way of Washington State Highway No. 8 (U. S. No. 830) containing 8.30 acres more or less.

T. 2 N., R. 15 E. W. M.,

Sec. 14, Lots 6, 7, 8 and 9, all that portion lying between the line of ordinary high water of the Columbia River and a contour line 178.0 feet above mean sea level, as determined by reference to the United States Coast and Geodetic Survey datum, containing 9.00 acres more or less.

The areas described above aggregate approximately 31.30 acres.

The withdrawal will be made subject to all valid existing rights-of-way, and to Powersite Withdrawal, Classification No. 378, insofar as it affects Lots 3 and 4, Sec. 13, T. 2 N., R. 14 W., and Lots 6, 7, 8, and 9, Sec. 14, T. 2 N., R. 15 E.

J. M. HONEYWELL,
State Supervisor

[F. R. Doc. 55-6432; Filed, Aug. 8, 1955;
8:47 a. m.]

OREGON

NOTICE OF WAIVER OF MARKETING AREA REQUIREMENTS, SOUTH COAST MASTER UNIT, OREGON

AUGUST 3, 1955.

Pursuant to the authority contained in Order No. 2583, Amendment No. 12, September 17, 1954, of the Secretary of the Interior, I hereby waive the marketing area requirements in regard to O. & C. timber in the South Coast Master Unit, Oregon which is removed from the right-of-way during the course of construction of the West Fork Smith River "B" Section of the Smith River Federal access road. The timber so removed may receive primary manufacture in the Siuslaw Marketing Area.

EDWARD WOOZLEY,
Director

[F. R. Doc. 55-6433; Filed, Aug. 8, 1955;
8:47 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 56]

NEW MEXICO

DECLARATION OF DISASTER AREA

Whereas, it has been reported that beginning on or about July 27, 1955, because of the disastrous effects of flash flood, damage resulted to residences and business property located in certain areas conditions in the areas affected; and

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected; and

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of Section 207 (b) of the Small Business Act of 1953 may be received and considered by the Office below indicated from persons or firms whose property situated in Bernalillo County (including any areas adjacent to Bernalillo County) suffered damage or other destruction as a result of the catastrophe above referred to:

Small Business Administration Regional Office, New Customhouse, Room 235, 19th and Stout Streets, Denver 2, Colorado.

2. Special Field Offices to receive such applications will not be established at this time.

3. Applications for disaster loans under the authority of this Order will not be accepted subsequent to January 31, 1956.

Dated: July 29, 1955.

WENDELL B. BARNES,
Administrator

[F. R. Doc. 55-6442; Filed, Aug. 8, 1955;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 4, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 30917 Pulpboard and fibreboard—Chicago, Ill., to Texas. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on pulpboard and fibreboard, carloads from Chicago, Ill., to Austin and Ft. Worth, Tex.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 27 to Agent Kratzmeier's I. C. C. 4134.

FSA No. 30918: Lumber and built-up woods—North Atlantic and Hampton Roads ports to Louisville, Ky. Filed jointly by C. W. Boin and O. E. Swenson, Agents, for interested rail carriers. Rates on lumber, built-up woods faced with red and white lauan veneer, carloads, from Baltimore, Md., Philadelphia, Pa., Albany and New York, N. Y., Boston, Mass., Norfolk, Va., and other Hampton Roads Ports, imported from foreign countries to Louisville, Ky.

Grounds for relief: Competition with like imported traffic from New Orleans, La., and other southern ports, and circuitry.

Tariff: Supplement 22 to Agent Boin's I. C. C. A-1017 and two other tariffs.

FSA No. 30919: Phosphoric acid, wall-board and sodium—Western points to the South. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on phosphoric acid, carloads, building boards, wall or insulating, carloads, and sodium (soda) carloads (1) Acid—Lawrence, Kans., to Columbus, Ga., (2) Boards—International Falls, Minn., to Maryville, Tenn., and (3) Sodium—Lawrence, Kans., to Atlanta, Ga.

Grounds for relief: Circuitous routes.

By the Commission.

HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-6445; Filed, Aug. 8, 1955;
8:49 a. m.]

GENERAL SERVICES ADMINISTRATION

[Project No. 3-DC-01]

FEDERAL OFFICE BUILDING

PROSPECTUS FOR PROPOSED BUILDING IN SOUTHWESTERN PORTION OF THE DISTRICT OF COLUMBIA

EDITORIAL NOTE: This prospectus of proposed Project Number 3-DC-01 is published pursuant to section 412 (f) of the Public Buildings Purchase Contract Act of 1954, as amended by Public Law 150, 84th Congress, which requires publication in the FEDERAL REGISTER for a period of ten consecutive days from date of submission to the Committees on Public Works of the Senate and House of Representatives.

Project Number 3-DC-01

PROSPECTUS FOR PROPOSED BUILDING UNDER TITLE I, PUBLIC LAW 519, 83d CONGRESS, 2d SESSION

FEDERAL OFFICE BUILDING, WASHINGTON, D. C.

A. Brief description of proposed building:

The project contemplates the erection of a Federal Office Building on a site to be acquired in the Southwest redevelopment area.

The proposed building will be a six-story and penthouse structure, stone exterior, with cafeteria included, and air conditioned throughout. It will have a gross floor area of 815,000 square feet, that will provide 558,000 square feet of net space, of which 500,000 square feet will be office area, 10,000 square feet for shops, 34,000 square feet for cafeteria, and 14,000 square feet for custodial, health unit, etc.

B. Maximum cost and financing:

1. Total over-all value of project..... \$20,200,000

a. Items not included in purchase contract:

(1) Architectural \$995,000
(2) Land 2,500,000
\$3,495,000

b. Purchase contract costs:

(1) Improvements \$16,705,000

2. Contract Term..... 10 to 25 years

3. Maximum rate of interest on purchase contract..... 4%

C. Estimated annual costs:

1. 25 Year Contract Term:

a. Purchase contract payments:

(1) Amortization and interest..... \$1,069,320
(2) Taxes 251,213
Rate per net sq. ft. \$2.37. \$1,320,533

b. Costs not included in purchase contract payments:

(1) Custodial and utilities..... \$538,000
(2) Repair and maintenance..... 82,000
Rate per net sq. ft. \$1.11. \$620,000

c. Total Estimated Annual Cost..... \$1,940,533

Rate per net sq. ft. \$3.48.

2. Second 25 Year Term:

a. Custodial and utilities..... \$538,000

b. Repairs and maintenance..... 160,000

c. Total Estimated Annual Cost..... \$698,000

Rate per net sq. ft. \$1.25.

3. 50 Year Average:

a. Total Estimated Annual Cost..... \$1,319,267

Rate per net sq. ft. \$2.36.

4. Annual Rental Costs for Comparable Space (Net Agency)..... \$1,970,000

Rate per net sq. ft. \$3.94.

5. Maximum Annual Payment Permitted..... \$3,030,000

(15% of fair market value.)

NOTE: All estimates based on 1955 price levels.

D. Present annual rental and other housing costs:

	Net sq. ft.	Unit cost	Total cost
1. Existing Tempo's 4, 5 and T (or comparable space), to be supplanted by proposed building.....	500,000	\$2.99	\$1,495,000

E. Justification of project:

1. Lack of Suitable Space:

a. The needs for space for the permanent activities of the Federal Government cannot be satisfied by utilization of existing Government-owned space.

b. Suitable rental space of comparable cost and characteristics is not available at a price commensurate with that to be afforded through the contract proposed.

c. The space requested and proposed is needed for permanent activities of the Federal Government.

d. The best interest of the Government will be served by taking the action proposed.

2. Existing Conditions:

During the past several years there has been an active and widespread movement on the part of the public and Governmental agencies, notably the Commission of Fine Arts, concerning the removal of World War I and II Tempos and the restoration of the park lands.

Data compiled as of December 31, 1954, indicates that the Federal Government is currently utilizing four (4) World War I Tempos, providing 2,083,903 square feet of net agency space, with 16,506 personnel; and 35 World War II Tempos, providing 3,585,063 square feet, with 22,823 personnel. In summary, 39 Tempos, providing a total of 5,668,966 square feet of net agency space, with aggregate personnel of 39,329. The aforementioned figures do not include space or personnel of the Central Intelligence Agency.

The Congress, long sympathetic to the insistent demand for the razing of the Tempo's has considered several proposed bills to ac-

complish this purpose. Among these was S. 1290, passed in the Senate on June 8, 1955, and enacted as Public Law 150, 84th Congress, approved July 12, 1955. That law expressly manifests the intent of Congress that (1) provision of accommodations for executive agencies by GSA as a part of the program for redevelopment of the southwest portion of the District of Columbia be accomplished on a lease-purchase basis and (2) temporary space of equivalent occupancy be demolished.

The proposed building will provide approximately 500,000 square feet of net office space, to accommodate equivalent personnel displaced from temporary buildings contemplated for initial demolition under current long-range planning programs.

3. Direct and Indirect Benefits Expected to Accrue.

a. Agencies whose related operations are scattered among two or more locations will be able to concentrate all of them in a single location and thereby realize appreciable economies deriving from such factors as contiguity of operating elements, immediate accessibility of employees and records, and elimination of transportation and communication delays.

b. The accommodation of Federal agencies in a single building will provide flexibility in making internal reassignments of agency space where increases or decreases in requirements occur.

c. The proposed building will be functional in concept and devoid of excessive embellishment and extravagant appointments. The design of the building and facilities will provide for the utmost economy in construction; maintenance and operation costs considered. It will be provided with modern fittings, appointments and conveniences comparable to those provided in buildings of private enterprise. Maintenance and improvement of employee morale and the consequent increasing of employee efficiency over a period of years may thus be confidently expected to result in intangible though nonetheless real economies.

F. Analysis of project space:

1. Since this project is intended to provide for relocation of numerous Federal activities now housed in temporary buildings, no specific allocation of space among agencies can be made. Therefore requirement for Certificate of Need otherwise required by Section 411 (e) of the Public Buildings Purchase Contract Act of 1954 was waived in Public Law 150, 84th Congress.
2. Space:
 - a. Distribution:

Agency	Tempo's 4, 5, and T proposed			
	Net sq. ft.	Personnel	Net sq. ft.	Personnel
The specific allocation of agencies to be quartered in the proposed building has not been presently determined.				
Subtotal, Agency Space.....	500,520	3,072	00,000	3,700
General Services:				
Custodial and Shops.....			22,000	132
Health Unit and Vending Stand.....			2,000	3
Cafeteria.....			34,000	50
Total.....	500,520	3,072	58,000	3,885

b. Utilization:

Agency Space—sq. ft. per person..... 163 135
 Total Space—sq. ft. per person..... 163 144

c. Efficiency Ratio, net to gross (net assignable)..... 68.5%

G. Analysis of project cost:**1. Costs of Improvements—Normal:**

a. Construction\$12,250,000
 b. Elevator 430,000
 c. Air Conditioning..... 1,750,000
 d. Interest, taxes, etc., during construction..... 730,000
 Cost per gross sq. ft. \$18.60. \$15,160,000

2. Costs of Improvements—Additional:

a. Approaches & utilities..... \$150,000
 b. Steam connection..... 120,000
 c. Stone face..... 525,000
 d. Contingencies..... 750,000
 \$1,545,000

3. Total Cost of Improvement..... \$16,705,000

4. Costs Not Included in Purchase Contract:

a. Architectural \$995,000
 b. Land to be acquired (Est. Cost)..... 2,500,000
 \$3,495,000

5. Total over-all value of project..... \$20,200,000

H. Other selected data:

1. The proposed contract provisions will not exceed the amount necessary to:
 - a. Amortize principal.
 - b. Provide interest not to 4% of the outstanding principal.
 - c. Reimburse contractor for the cost of taxes and interest during construction.
 - d. Reimburse contractor for proportional charge for redevelopment general area, streets and utilities.
2. It is proposed to make awards on financing and construction by competition.
3. Estimated completion date for the project is 40 months from date of final approval.
4. Taxes computed on basis of 75% ratio and \$22.00 per \$1,000.
5. Insurance included during construction only as part of total cost borne by construction contractor. During post-construction period Government will act as self-insurer.

Project Number 3-DC-01

Submission

Submitted at Washington, D. C.

Recommended:

[S] PETER A. STROBEL,
 Commissioner of Public Buildings Service,
 General Services Administration.

Approved:

[S] A. E. SNYDER,
 Acting Administrator
 General Services Administration.

Statement of Director, Bureau of the Budget**EXECUTIVE OFFICE OF THE PRESIDENT****BUREAU OF THE BUDGET**

WASHINGTON, D. C.

Project 3-DC-01
 Federal Office Building,
 Southwest Redevelopment Area,
 Washington, D. C.

JULY 22, 1955.

MY DEAR MR. MANSURE:

Pursuant to section 411 (e) (8) of the Public Buildings Purchase Contract Act of 1954 (Public Law 519), the proposal for a Federal Office Building, transmitted with your letter of June 28, 1955, has been examined and in my opinion "is necessary and in conformity with the policy of the President." This approval is given with the following understandings:

1. That the project cost of \$20,200,000 (including \$2,500,000 for land to be acquired) is a maximum figure.

2. That the reported annual operating cost of existing Tempos 4, 5 and T, i. e., 99¢ per sq. ft., represents minimum maintenance in anticipation of demolition, and that temporary Government buildings actually cost more to maintain than the proposed new building.

3. That the proposed building will house some 10 percent of Federal employees presently housed in temporary buildings, and that the specific allocation of agencies in the proposed building is to be determined later by GSA.

4. That every effort will be made to design and construct space conducive to maximum efficient utilization and to take advantage of any revision of cost downward which may be found possible as the plans develop and negotiations are advanced.

You appreciate, of course, that this project will receive a more detailed review as to cost and space utilization prior to approval of the lease-purchase agreement.

Sincerely yours,

[Signed] ROWLAND HUGHES,
 Director.

HON. EDMUND F. MANSURE,
 Administrator
 General Services Administration,
 Washington 25, D. C.

[F. R. Doc. 55-6130; Filed, July 20, 1955;
 10:09 a. m.]

DEPARTMENT OF LABOR**Wage and Hour Division****LEARNER EMPLOYMENT CERTIFICATES****ISSUANCE TO VARIOUS INDUSTRIES**

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F. R. 2304)

Clyde Shirt Co., Northampton, Pa., effective 8-4-55 to 8-3-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (women's blouses and men's shirts).

Esskay Manufacturing Co., 410 South Main, San Antonio, Tex., effective 7-27-55 to 7-26-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' outerwear).

Fortex Manufacturing Co., Inc., Fort Deposit, Ala., effective 8-1-55 to 1-31-56, 10 learners for plant expansion purposes (boys' and men's shirts and pajamas).

Fortex Manufacturing Co., Inc., Fort Deposit, Ala., effective 8-1-55 to 7-31-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' and men's shirts and pajamas).

Freeland Dress Co., Inc., 721 Birkbeck Street, Freeland, Pa., effective 7-27-55 to 4-30-56, 10 learners for normal labor turnover purposes (children's dresses) (replacement certificate).

Grafton Manufacturing Co., Riverside Drive, Grafton, W. Va., effective 7-25-55 to 7-24-56, 10 percent of the total number of

factory production workers for normal labor turnover purposes (ladies' blouses).

H & H Manufacturing Co., Statham, Ga., effective 7-27-55 to 7-26-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's slacks).

Oswego Manufacturing Co., 355 West First Street, Oswego, N. Y., effective 8-1-55 to 7-31-56, 10 percent of the total number of factory production workers engaged in the production of brassieres, girdles and garter belts (brassieres, etc.).

R & G Shirt Corp., Parksley, Va., effective 7-28-55 to 7-27-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' sport shirts).

Renovo Shirt Co., Mena, Ark., effective 7-27-55 to 7-26-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts).

Samsons Manufacturing Corp., 501 East Caswell Street, Kinston, N. C., effective 7-29-55 to 1-21-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (replacement certificate) (men's sport shirts).

Standard Romper Co., Inc., 558 Roosevelt Avenue, Central Falls, R. I., effective 8-2-55 to 8-1-56, 10 percent of the total number of factory production workers engaged in the manufacture of garments from woven material (children's outerwear).

Toby Manufacturing Co., Inc., 620 Franklin Avenue, Essex, Baltimore, Md., effective 7-28-55 to 7-27-56, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work pants).

Wadley Manufacturing Co., Wadley, Ga., effective 7-29-55 to 7-28-56, 10 learners for normal labor turnover purposes (dress shirts).

Cigar Industry Learner Regulations (29 CFR 522.80 to 522.85, as amended April 19, 1955, 20 F. R. 2304)

Budd Cigar Co., Quincy, Fla., effective 8-1-55 to 7-31-56, 10 percent of the total number of workers engaged in the occupations of cigar machine operators, cigar packers (cigars retailing for 6 cents or less), machine strippers; each 320 hours at 65 cents an hour.

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended April 19, 1955, 20 F. R. 2304)

St. Johnsbury Glovers, Inc., St. Johnsbury, Vt., effective 8-11-55 to 8-10-56, 10 learners for normal labor turnover purposes (knit fabric).

Stott & Son Corp., Winona, Minn., effective 7-28-55 to 7-27-56, 10 learners for normal labor turnover purposes (cotton work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43 as amended April 19, 1955, 20 F. R. 2304)

Golden City Hosiery Mills, Inc., Villa Rica, Ga., effective 7-29-55 to 7-28-56, 5 learners for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended April 19, 1955, 20 F. R. 2304)

Oswego Manufacturing Co., 355 West First Street, Oswego, N. Y., effective 8-1-55 to 7-31-56, 5 percent of the total number of factory production workers engaged in the production of slips and gowns (slips and gowns).

Standard Romper Co., Inc., 558 Roosevelt Avenue, Central Falls, R. I., effective 8-2-55 to 8-1-56, 5 percent of the total number of factory production workers engaged in the manufacture of garments from knitted material (children's outerwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F. R. 645)

Cuba Footwear Products Co., Cuba, Mo., effective 7-27-55 to 1-26-56, 10 learners in the occupations of heel coverers, lacquer sprayers, top lift naller, casing and cementing heels, beam cutters, box toe skivvers; each 320 hours at 68½ cents for the first 240 hours and 72½ cents for the remaining 80 hours (covered wood heels, etc.).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number

of learners, the learner occupations, the length of the learning periods and the learner wage rates are indicated, respectively.

Caribbean Plastics Co., St. Croix, P. R., effective 7-22-55 to 1-21-56, 5 learners in any one work day in the assembly of small parts, 160 hours at 30 cents per hour (eye-shade glare protectors).

Parlissenne Handbag Inc., Caguas, P. R., effective 7-25-55 to 1-24-56, 10 learners in any one work day in the occupation of Bonnaz embroidery machine operators; 160 hours at 35 cents an hour, 160 hours at 40 cents an hour and 160 hours at 45 cents an hour (Bonnaz embroidery).

Alto Manufacturing Corp., Aguas Buenas, P. R., effective 7-18-55 to 12-5-55, 10 learners in any one work day in the occupations of ribbon sewers, button holers, button sewers, markers, labelers, machine pressing; each 160 hours at 30 cents per hour, 160 hours at 37½ cents per hour and 160 hours at 45 cents per hour; and Examining, 160 hours at 37½ cents per hour (sweaters) (Supplemental certificate).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 2d day of August 1955.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F. R. Doc. 55-6436; Filed, Aug. 8, 1955; 8:48 a. m.]

